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The American Historical Review

THE MONUMENT OF ANCYRA

IT is a remarkable tribute to the constructive statesmanship of Augustus Caesar that historians and political theorists still disagree when they attempt to classify and label the political organization which he gave to the Roman state. It has been variously named an empire, a dyarchy, or a principate. The second of these terms was coined by Mommsen to apply to this political institution alone. The third is applied to no imperial organization other than the Roman empire. Augustus himself proudly states that, after he had gained complete power by the consent of all classes, he handed over the republic out of his own control to the decision of the senate and the Roman people.¹ With a fine skill in ambiguity and tactful phrase, he avoids the bald statement that he gave back the commonwealth to the senate and Roman people. He does not mention at this point the powers which the senate and people bestowed upon him after he had put an end to his anomalous position in 27 B. C. Also, naturally enough, he does not draw the sum of those powers. He emphasizes instead the separate offices which he held and says that he had no more power than those who were his colleagues in any magistracy. The statement is far from true, however true or false it may have seemed to the careful diplomat who wrote the words. For the separate powers, when massed, gave Augustus complete control of the state; and the sum of his powers made each separate office more significant.

In the years 28 and 27 B. C., and those immediately following, the phrase "restoration of the liberties of the Roman people" was the legend of coins and inscriptions. In these years the idea of the "restituta res publica" was advanced, which is found in the *Fasti* of Ovid, in the Praenestian *Fasti* and other inscriptions, and in Velleius Paterculus.² But Strabo, writing in the years 18 and 19

¹ *Res Gestae*, ch. 34.

² See Mommsen, *Res Gestae*, pp. 145-146.

A. D., plainly saw that "the fatherland turned over to him [Augustus] the leadership of the government and he became master of war and peace for life".³

In writing the *Res Gestae*, Augustus employed the phrase "res publica" when dealing with the civil wars and the time of the triumvirate,⁴ and in chapter 34 where he states that he handed over the republic to the decision of the senate and Roman people. In the enumeration of all deeds and honors occurring after that period, the term "res publica" is not found in the *Res Gestae*. Does this merely happen so? I think not. There must have been but few men in the Roman senate when Augustus composed the *Res Gestae* or at the time of his death who did not realize and acknowledge the enormous scope of the constitutional powers which had been so deftly gathered into the hands of this great politician. These contemporaries of Strabo would have smiled, some of them grimly, if Augustus toward the end of his life had tried to insist upon the idea of the restoration of the republic. That there was another reason more potent and important, why the idea of the republic should be suppressed, is the thesis of this paper.

Another testimonial to the inscrutable diplomacy of the man who constructed the Roman empire out of the old timbers of the republic, is the document which was found on the walls of the temple of Augustus at Ancyra. The different attempts to bring this document under some specific literary class or type have not been entirely successful. Ernest Bormann has insisted that it was an epitaph.⁵ But he has been forced to the admission that the person and the circumstances concerned were both unique, in order to explain the great divergence of this inscription from other epitaphs. He is also forced to the problematic statement that the document, published as it was after Augustus's death, may have been carried out in quite a different fashion from that expected by its author.⁶ This interpretation of the Monument of Ancyra found ardent supporters in Johannes Schmidt⁷ and H. Nissen.⁸ Among the names of eminent scholars who have opposed this view are those of Otto Hirschfeld,⁹ Ulrich von Wilamowitz-Moellendorff,¹⁰ and Theodor Mom-

³ Strabo, XVII. 3, 25, p. 840. Cf. Niese, *Hermes*, XIII. 33-36.

⁴ *Res Gestae*, chs. 1 and 25.

⁵ In *Bemerkungen zum Schriftlichen Nachlasse des Kaisers Augustus* (Universitäts-Einladung, Marburg, 1884).

⁶ *Verhandlungen der drei und vierzigsten Versammlung deutscher Philologen und Schulmänner in Köln* (1895), p. 181.

⁷ Johannes Schmidt in articles published in *Philologus*, vols. XLIV., XLV., XLVI.

⁸ H. Nissen in *Rheinisches Museum*, vol. XLI. (1886).

⁹ *Wiener Studien*, VII. 170-174 (1885).

¹⁰ *Hermes*, XXI. 623-627 (1886).

sen.¹¹ Wilamowitz was the first to point out that it was scarcely fitting that the epitaph of Augustus, the man, should be inscribed upon the temple of Augustus, the god, at Ancyra. If, however, the people of his day regarded this document as the summary of the "*res gestae divi Augusti*", its position upon the walls of the temple was entirely proper. Wilamowitz also pointed out that Hadrian had set up, in the Pantheon which he built at Athens, an inscription modelled upon the *Res Gestae* inscription of Augustus.¹² In this document Hadrian published for posterity, as Augustus had done, some of his wars, the temples he had built or adorned, and his gifts to cities both Greek and barbarian. Similar as it was to the *Res Gestae*, the Hadrian inscription can in no way be regarded as an epitaph; and the fact that Augustus caused the account of his deeds to be set up before his mausoleum does not necessitate the conclusion that it was a grave inscription.

The matter of the name to be applied to the Monument of Ancyra is relatively of small importance. The name given to it upon the temple of Ancyra—"rerum gestarum divi Augusti exemplar"—was satisfactory to the imperial subjects in Asia Minor, and the term *Res Gestae* adopted by Mommsen described it fairly well.¹³ The question of its content and purpose is the real historical problem. The idea of Wilamowitz that its chief purpose was to be a justification of the apotheosis of Augustus has not obtained credence. Wölfflin's belief that it was the balance-sheet drawn by the founder of the monarchy is almost equally inadequate.¹⁴ Mommsen in his summary, which practically ended the protracted discussion, regarded the *Res Gestae* as the sum of his fifty years' rule drawn by the founder of the empire and set before the public.¹⁵ He further states that, in his opinion, Augustus must have had a distinct political motive in bringing out this singular publication in his testament in the place and manner in which it appeared. What this political motive was Mommsen did not profess to know.¹⁶

One peculiarity of the *Res Gestae* has often been noticed, namely, that Augustus does not mention the names of any of his opponents in the civil wars, nor the names of his father and mother, not

¹¹ Mommsen's article in the *Historische Zeitschrift*, LVII. (Neue Folge XXI.) 385-397 (1887), is a remarkably clean-cut piece of analysis and an unanswerable summary of this phase of the discussion.

¹² See Pausanias, I. 5. 5.

¹³ Mommsen believed that the title "*Index Rerum a se Gestarum*" must have been used by Augustus himself in the orders which he left for its publication. See *Historische Zeitschrift*, LVII. 392.

¹⁴ E. Wölfflin, *Sitzungsberichte der phil.-phil. und hist. Klasse der Akademie der Wissenschaften zu München*, 1886, pp. 253-282.

¹⁵ *Historische Zeitschrift*, LVII. 390.

¹⁶ *Ibid.*, p. 395.

even his own name, excepting where the statement is made that the senate gave him the honorary title of Augustus.¹⁷ This peculiarity forced itself upon my attention in a different light as one of the most characteristic features of the *Res Gestae*. Foreign kings with whom the generals of Augustus fought, those who came to him as suppliants, and those set up by Augustus upon the Parthian and Median thrones are mentioned by name.¹⁸ The names of the Roman consuls are of course used to designate the year. Apart from these there are no names actually given other than those of members of Augustus's family, with one exception. This is in chapter 12: "By a decree of the senate, at the same time a part of the praetors and tribunes of the people with the consul Quintus Lucretius and leading citizens were sent into Campania to meet me, an honor which up to this time has been decreed to no one but me." The reason for mentioning the name of Quintus Lucretius is clear. In the foregoing chapter the consuls of the year, Quintus Lucretius and Marcus Vinucius, were given, as usual, by name. The name of the consul Lucretius in the following chapter does not therefore interfere with the apparent policy of suppressing the names of all but members of the family of Caesar. In fact it would be noticeable, seeing that the two names had just been given, if the name of the one consul who went to meet Augustus should not be stated.

It is therefore safe to say that the omission of proper names in the *Res Gestae* except in the case of members of the family is a policy which Augustus pursued consciously and with a purpose. In order to determine the reason behind that policy, it is necessary to examine more closely the members of the family whose names are suggested and those actually given. The passages in which the family of Augustus appear without direct statement of names are:

Ch. 2: Qui parentem meum interfecerunt eos in exilium expuli.¹⁹

Ch. 10: Pontifex maximus ne fierem in vivi conlegae locum, populo id sacerdotium deferente mihi, quod pater meus habuit, recusavi.

Ch. 19: Porticum . . . quam sum appellari passus ex nomine eius qui priorem eodem in solo fecerat Octaviam.

The earlier portico was built by Gnaeus Octavius in 165 B. C.²⁰

Ch. 20: Forum Iulium et basilicam, quae fuit inter aedem Castoris et aedem Saturni, coepta profligataque opera a patre meo perfeci et eandem basilicam consumptam incendio ampliatio eius solo sub titulo nominis filiorum meorum incohavi et, si vivus non perfecissem, perfici ab heredibus iussi.

¹⁷ See Gardthausen, *Augustus und seine Zeit*, I, 1285.

¹⁸ See *Res Gestae*, chs. 27, 32, 33.

¹⁹ Had Augustus desired to justify his apotheosis, as Wilamowitz supposed, he would certainly have used here the usual phrase, *divum Iulium*, instead of *parentem meum*.

²⁰ See Festus, p. 78, quoted in Mommsen, *Res Gestae*, p. 80.

Ch. 22: Ter munus gladiatorium dedi meo nomine et quinquens filiorum meorum aut nepotum nomine.

The sons were, of course, Lucius and Gaius Caesar. The grandsons were Germanicus, nephew and adopted son of Tiberius, and Drusus, son of Tiberius.

Ch. 22: Bis athletarum undique accitorum spectaculum populo prae bui meo nomine et tertium nepotis mei nomine.

Ch. 22: Venationes bestiarum Africanarum meo nomine aut filiorum meorum et nepotum in circo aut in foro aut in amphitheatris populo dedi sexiens et viciens.

It is evident that Augustus desired during his lifetime to keep the names of the male members of the imperial family before the people and made use of the public spectacles for that purpose. When he wrote the *Res Gestae*, it seemed advisable for some reason to recall these benefactions and the fact that they were given by the Princeps acting in the name of members of his household. Augustus wrote this proud and simple record of his deeds with the feeling that posterity might thereby appreciate more fully his life of toil and devotion. Why then is he so careful to record the fact that these things were done in the name of sons or grandsons? Clearly he wished to lay emphasis upon these spectacles as coming not from himself alone, but from himself as head of the imperial family. As surely as there was some definite reason for this course when he celebrated the games, just so surely there was a reason for recalling the fact when he composed the *Res Gestae*.

In the following places the names of members of the imperial family are actually given:

Ch. 8: In consulatu sexto censem populi conlega M. Agrippa egi.

Ch. 8: Tertium consulari cum imperio lustrum conlega Tib. Caesare filio feci, Sex. Pompeio et Sex. Appuleio cos.

Ch. 14: Filios meos, quos iuvenes mihi eripuit fortuna, Gaium et Lucium Caesares, honoris mei caussa senatus populusque Romanus annum quintum et decimum agentis consules designavit.

Ch. 21: Theatrum ad aede Apollinis in solo magna ex parte a privatis empto feci, quod sub nomine M. Marcelli generi mei esset.

Ch. 22: Pro conlegio XV virorum magister conlegi collega M. Agrippa ludos saeculares . . . feci.

Ch. 27: Armeniam maiorem interfecto rege eius Artaxe cum possem facere provinciam, malui maiorum nostrorum exemplo regnum id Tigrani regis Artavasdis filio . . . per Ti. Neronem tradere, qui tum mihi privignus erat. Et eandem gentem postea descendentem et rebellantem domitam per Gaium filium meum regi Ariobarzani regis Medorum Artabazi filio regendam tradidi.

Ch. 30: Pannoniorum gentes, quas ante me principem populi Romani exercitus numquam adit, devictas per Ti. Neronem, qui tum erat privignus et legatus meus, imperio populi Romani subieci.

The names which occur are, Marcus Agrippa, mentioned twice; Gaius and Lucius Caesar mentioned together in one place; Gaius Caesar mentioned once alone; Marcus Marcellus, mentioned once; Tiberius Nero, mentioned three times. These five men of the imperial household are the very ones who at one time or another during the long reign of Augustus were groomed by him and marked as the successors to his powers. No others came into consideration for the imperial succession and no others are mentioned in the *Res Gestae*. It seems, therefore, that Augustus when writing the *Res Gestae* was preparing the way for the succession in his family, just as during his principate he had prepared, one after the other, Agrippa, Marcellus, Gaius and Lucius Caesar, and finally Tiberius, for the great task. As he had prepared the Roman people for the succession, as well as these princes, by pushing them wherever possible into prominent and responsible positions, so he reminds a later generation unostentatiously of the work done at his side by Agrippa, of the young Marcellus, of the honors bestowed upon the two young Caesars, and of the faithful labors of Tiberius Nero in behalf of the state.

The passage (chapter 14) in which Augustus recalls the honors granted to Gaius and Lucius Caesar is especially significant. It occurs in the last chapter of the general division of the *Res Gestae* which recounts the "honores" of Augustus. The statement is that the senate and Roman people designated these youths as consuls in their fifteenth year, "honoris mei causa"; that they were permitted to be present at the deliberations of the senate from the day upon which they assumed the toga virilis; and that they were called *principes iuventutis*. It seems a curious anticlimax, coming at the end of the long list of honors and offices granted to Caesar. Did these unusual privileges and attentions bestowed upon his two adopted sons really reflect so much glory upon the man who had been admitted to the senate and had been elected consul in his twentieth year,²¹ who had been chosen *triumvir rei publicae constituendae* in his twenty-first year, who had declined many triumphs and even the dictatorship?²² Evidently the honors paid to Augustus were, according to the impression he would leave, honors paid to his family, and the honors of his family were honors bestowed equally upon him. Thus the idea of the family and consequently the idea of the inheritance are tactfully suggested in the chapter devoted to the young Caesars.²³

²¹ *Res Gestae*, ch. 1.

²² *Ibid.*, chs. 4 and 5.

²³ This fact did not escape Nissen *Rheinisches Museum*, XLI. 487 (1886): "Die Nennung des Tiberius, des Gaius, namentlich das 14. Kapitel von der Erhe-

Stranger even than the emphasis upon the extraordinary position of the two *principes iuventutis* is the peculiar choice made by Augustus in publishing the names of his generals in the *Res Gestae*. The name of Tiberius appears in connection with the Armenian campaign of 22 B. C.²⁴ Gaius Caesar is mentioned in connection with the Armenian campaign of the year 2 A. D.²⁵ Tiberius is again mentioned by name (in chapter 30) for his victories over the Pannonians in the years 12–10 B. C. Note that in each case the relationship with the Princeps is especially emphasized: “per Ti. Neronem, qui tum mihi privignus erat; per Gaium filium meum; per Ti. Neronem qui tum erat privignus et legatus meus”. Compare also the mention of Marcellus’s name in chapter 21: “sub nomine M. Marcelli generi mei”.

The motive which dictates to Augustus what names among his generals are to be mentioned is easily apparent. They are surely not selected on a basis of the value of their services to the state and the Princeps, nor because of the importance of their victories. The well-conducted though fruitless campaigns of Gaius Aelius Gallus in Arabia in the years 25 and 24 B. C., and the brilliant work of Gaius Petronius in Aethiopia in 24 and 23 B. C., receive the following comment:²⁶ “Meo iussu et auspicio ducti sunt duo exercitus eodem fere tempore in Aethiopiam et in Arabiam . . . maximaeque hostium gentis utriusque copiae caesae sunt in acie et complura oppida capta. In Aethiopiam usque ad oppidum Nabata perventum est, cui proxima est Meroë. In Arabiam usque in fines Sabaeorum processit exercitus ad oppidum Mariba.” In neither case is the name of the general given, although Petronius won the position of prefect of Egypt as a reward for his success. Marcus Licinius Crassus suppressed the dangerous uprisings of the Dacians in the years 29–28 B. C., and was awarded a triumph in 27 B. C., for his able conduct of the war. His name does not appear in Augustus’s statement of this outbreak.²⁷ The name of Gnaeus Cornelius Lentulus does not occur in the account of the Dacian wars although he earned the honor of a triumph for his service against the Dacians in the years 5–7 A. D.²⁸

Still more noticeable than the omission of these names is the

bung des Gaius und Lucius Caesar zu principes iuventutis hängt mit dem dynastischen Endziel seiner Politik zusammen; in den Söhnen wird der Vater geehrt; in seinem Sinne erbt das ihm geschenkte und so glänzend gerechtfertigte Vertrauen von selbst auf die Söhne fort.”

²⁴ *Res Gestae*, ch. 27.

²⁵ *Ibid.*

²⁶ *Ibid.*, ch. 26. Cf. Gardthausen, *Augustus und seine Zeit*, vol. I., book VIII., ch. 1.

²⁷ *Res Gestae*, ch. 30.

²⁸ See Mommsen, *Res Gestae Divi Augusti*, second ed., pp. 131–132.

fact that Drusus's name does not appear in the *Res Gestae*. He was a great favorite of Augustus and equally beloved by the Roman populace and the soldiers who served under him.²⁹ His brilliant success in conquering Germany from the Rhine to the Elbe in the years 11-9 B. C. must have won the admiration of the Princeps and aroused the enthusiasm of his people. Yet no further notice is taken of this work in the *Res Gestae* than is contained in the words: "Gallias et Hispanias provincias et Germaniam qua includit oceanus a Gadibus ad ostium Albis fluminis pacavi".³⁰

Why should the campaigns of Drusus be passed over in this fashion and the doubtful successes of Gaius Caesar in Armenia be given with mention of his name, when Gaius left his work half finished and set out for Rome disillusioned and disheartened?³¹ I see no other possible explanation for these facts than the one already suggested, that Augustus was intent upon recalling to the minds of the senate and the Roman populace those names which would emphasize the idea of the inheritance of the powers of the Princeps.³² In this light the reason becomes clear why Augustus refrained from referring to the state as *res publica* in dealing with all events which occurred after 27 B. C. It is to be found in the fact that he was endeavoring to perpetuate his absolute control in the person of his stepson, Tiberius, and the old diplomat was far too keen to mention the words *res publica*, where it could be avoided, in a document intended for publication at the critical time when the matter of the succession was being decided.

The question arises whether the conditions at Rome during the last years of Augustus's life were such as to demand this indirect method of suggesting the inheritance of the power by Tiberius, who especially comes into consideration at the time when the *Res Gestae* took its final form. Furthermore, was the document published in such a manner as to further the interests of Tiberius? There can be no doubt that the uncertainty of the succession was the one great weakness in the singular state-form constructed by

²⁹ Suetonius, *Claudius*, 1; Horace, *Odes*, IV, 14; Gardthausen, *Augustus und seine Zeit*, I, 1040.

³⁰ *Res Gestae*, ch. 26. The campaign of Tiberius and Drusus against the Rhaeti and Vindelici in 15 B. C. might have been mentioned separately here, but the name of Tiberius could not well be given without that of Drusus. For this reason the campaign does not receive separate notice.

³¹ See Gardthausen, *Augustus und seine Zeit*, I, 1144.

³² Cf. E. Kornemann, "Zum Monumentum Ancyranum", in *Beiträge zur Alten Geschichte*, 1902, p. 153. The idea that the inheritance was in Augustus's mind when he wrote the *Res Gestae* is not a new one, as is shown by the following words of Kornemann: "Mit dem eignen Ruhm auf diesem Gebiet [d. h. der Kriegsthaten] liess sich aber jetzt der Ruhm der präsumptiven Nachfolger verkünden und damit der Dauer der neuen Ordnung ein Dienst erwiesen". In my opinion, however, the importance of this fact has either passed unnoticed or has been greatly underestimated.

Augustus Caesar. Theoretically the republic still existed and the accumulated powers held by the Princeps were held only temporarily. The extraordinary powers granted to Tiberius during the life of Augustus, including the tribunician and proconsular powers, were only bestowed upon him for periods of five or ten years at a time. The history of the first century repeatedly showed this great weakness of an uncertain succession to the imperial powers. Notably was this true at the accession of Claudius, in the year of the civil wars, and again at Nerva's accession. Augustus knew this weakness; but after he had once entered upon the great game of allowing the senate its share in the power, he was compelled to play the game steadily and consistently to the end. He sought to bridge over this difficulty by preparing a successor from his family whose training and prominence would insure him the same grants of power as Augustus had enjoyed. Gardthausen has correctly pointed out that the decision between the republic and the monarchy would be made at the crisis which must necessarily ensue upon the death of the founder of the empire,³³ when a precedent would be established which would practically be a rule.

In its general aspects, therefore, the succession was the one thing which must have occasioned Augustus anxiety, since there can be no doubt that he wished to establish the principle of inheritance. The question then arises: Were there specific conditions in relation to Tiberius, which complicated the situation and made it necessary for such careful advancement of the family idea and the claims of Tiberius as I have indicated? Tiberius was not a man who could attract and hold popularity with the crowd. The verses quoted by Suetonius,³⁴ which ran through the streets of Rome, testify to the popular dislike of the dour prince. Augustus himself felt uncomfortable in the presence of Tiberius³⁵ and felt constrained to explain his unpopularity before the senate by attributing it to his peculiar disposition.³⁶ The accession of Tiberius was by no means unquestioned. Suetonius narrates the plot of a slave of the young Agrippa against Tiberius's life, the attempted coup d'état of L. Scribonius Libo, and the revolts of the armies in Illyricum and in Germany all occurring at that time.³⁷ Tacitus has imagined and painted the heart and thought of the city of Rome at the time of Augustus's death with his usual keen insight and dramatic skill.³⁸ In his analysis

³³ Gardthausen, *Augustus und seine Zeit*, I. 533.

³⁴ Suetonius, *Tiberius*, ch. 29.

³⁵ *Ibid.*, ch. 21.

³⁶ *Ibid.*, ch. 68; Tacitus, *Annals*, I. 10, 7.

³⁷ *Ibid.*, ch. 25.

³⁸ Tacitus, *Annals*, I. 4-8.

of the situation, the chief cause of fear on the part of Tiberius lay in the attitude of Germanicus who was then in command of the legions along the Rhine.³⁹ Indeed these mutinous legions, if Tacitus may be trusted, offered to support Germanicus in case he would consent to strike for the imperial powers.⁴⁰ To the fidelity of Germanicus at this critical stage Tiberius surely owed his deepest gratitude. Whether Augustus foresaw the possibility of an attempt to invest Germanicus with the imperial offices or not, the omission of Drusus's name from the account of the deeds, and that of Germanicus as well, helped to clear the decks, at least in the senate, for Tiberius's accession.

Tiberius aptly expressed his feeling of insecurity at this critical stage when he said that he felt as though he had a wolf by the ears. His desire to have the office thrust upon him became patent to the senate itself and wearied some of its members. Yet this play seemed necessary, since the powers already granted him through the influence of Augustus were in theory still regarded as extraordinary; and the situation demanded that he should say that he hoped at some time to lay down the burden placed upon him.⁴¹

The list of documents written by Augustus, in which the *Res Gestae* were included, had been deposited by the Princeps with the Vestal Virgins sixteen months before his death. They consisted of the will and three other documents. The first of the group of three contained the orders in regard to his funeral, the second was the *Res Gestae*, the third a summary of the military and financial condition of the empire. These three documents were read before the senate by Drusus,⁴² son of Tiberius, in the first meeting held after the death of Augustus. No action had as yet been taken in regard to conferring the powers upon Tiberius. It seems evident, therefore, that the publication of the deeds of Augustus at that particular time and place was decided by the needs of the situation. Augustus reckoned upon its effect upon the senate. He could not consistently name his successor. He could, however, make use of the account of his deeds to justify the inheritance of power in his family and influence the senate's opinion in favor of Tiberius. In like manner the publication of the document before the mausoleum of Augustus would, as the aged Princeps no doubt hoped, accustom the people of Rome to the idea of the inherited monarchy.

It would be folly to assert that this purpose was the sole or even the most important one which animated Augustus in writing the

³⁹ Tacitus, *Annals*, I. 7, 9.

⁴⁰ *Ibid.*, I. 35, 3.

⁴¹ Suetonius, *Tiberius*, ch. 24.

⁴² Suetonius, *Augustus*, ch. 101, and *Tiberius*, ch. 23.

Res Gestae. My only claim is that this political motive was in his mind when he wrote the document and that it played a considerable part in the composition and in the manner of publication of the *Res Gestae*.⁴³

⁴³ I have reserved for another time the attempt to square the results of this investigation with Kornemann's contention in regard to the time of composition of the different parts of the *Res Gestae*. In general it may be said that the conditions which demanded emphasis upon the idea of the inheritance remained the same throughout Augustus's principate. Therefore the results of the paper are not affected if one accepts Kornemann's conclusion that the final revision by Augustus occurred in 6 A.D. See Kornemann in *Beiträge zur Alten Geschichte*, vols. II., III., IV., V.

W. L. WESTERMANN.

THE FIRST CONCENTRATION OF JURIES: THE WRIT OF JULY 21, 1213

AMONG the bits of original material which give us our scanty knowledge of the beginnings of the House of Commons, few have more interest than the royal writ of July 21, 1213, found embedded in the chronicle of Wendover.¹ Few also have given more trouble to the researcher in this field. The House of Commons originated in the bringing together of local juries at a central point to plan taxes or to inform the king on local revenue matters or the doings of his officials. Juries had often been used for such purposes before the device of getting them together and questioning them *en masse* had been thought of. But in studying the origin of an assembly, this feature of concentration is fundamental; and it is highly important to know the very first instance in which the idea was clearly present. For, whether or not this first instance served as a precedent and thus constituted the historical discovery of the new feature, it indicates the degree of development and familiarity reached by the practices and ideas out of which the new institution grew; and it is no small thing in understanding the origin of an institution to know the point at which it was potentially present.

It has been generally supposed that the writ under discussion records the first instance of jury concentration. But the language has at the same time appeared to contain the expression of at least two ideas so at variance with the known practices and conceptions of the time that, being but a chronicler's copy, many scholars have lost faith in the writ and have come to regard it as a text hopelessly corrupt. In the first place, the purpose being to assess the damages and losses inflicted on the Church by the king, why should the king have directed his summons to royal demesne juries, a curious specialization in any case, but particularly so in this, since it has been supposed that the men in the royal villis had little or no knowledge of the matter to be investigated? In the second place, how account for the word *alios* before *ministros suos*, where it clearly

¹ "In crastino autem misit rex litteras ad omnes vicecomites regni Angliae, praecipiens ut de singulis dominicorum suorum villis quatuor legales bomines cum praeposito apud Sanctum Albanum pridie nonas Augusti facerent convenire, ut per illos et alios ministros suos de damnis singulorum episcoporum et ablatiis certitudinem inquireret, et quid singulis deberetur." Stubbs, *Charters*, fifth ed., p. 276.

implies that the reeve and four men were royal ministers, an implication apparently contrary to fact?

Two noteworthy attempts to grapple with these difficulties, which have appeared in recent volumes of the *English Historical Review*,² have yet left scholars questioning and dissatisfied. Mr. Davis avoids the troublesome implication of *alios ministros suos* by an emendation which, as Mr. Turner justly remarks, makes the chronicler's copy look less like a royal writ than it does already. He retains the traditional idea that the juries were drawn from the royal demesne, but believes that they were consulted in the localities by the sheriffs who brought the findings to the central meeting of August 4. Mr. Turner rejects the royal demesne juries on the ground stated above. To assume jurors not having a knowledge of the facts would do violence to a stable characteristic of the primitive sworn inquest. He is forced to believe, then, that they were juries drawn from the villas on the bishops' estates, and he explains the *dominicorum suorum* by imagining an omitted prefatory recital in which the bishops and their wrongs were mentioned, thus making *suorum* refer to the bishops rather than to the king. Moreover, Mr. Turner appears to believe that the juries may actually have gathered at St. Albans on August 4, but that the king soon recognized that the testimony of these ecclesiastically biased groups needed sifting and hence, through his writ of August 31,³ undertook to cooperate with the archbishop in a mutual inquisition held in the localities.

Is it not possible to make a reasonable interpretation of the document without resorting to a dubious emendation or a supposed omission? A valid starting-point may be taken in Mr. Turner's dictum that no juries of this time could have been judges of fact except in the rudimentary way which is now well recognized in most forms of the primitive inquest. These juries, then, whoever composed them, were chosen because they knew or were supposed to know about the damages and losses which the king had inflicted

² H. W. C. Davis, *English Historical Review*, XX, 289, 290; G. J. Turner, *ibid.*, XXI, 297-299.

³ "Rex vicecomiti Somerset, et Dorset, etc. Tibi precipimus quod sine dilacione ex parte nostra praecipias Roberto de Berkeley, Rogero de Penton, et Osberto filio Willelmi, quod omni occasione postposita veniant ad diem et locum, quos dominus episcopus Bathon' tibi scire fecerit, ad audiendam inquisitionem de ablatis et dampnis episcoporum et clericorum, et omnium virorum ecclesiasticorum et aliorum negotium ecclesiae contingentium, faciendam, coram clericis domini Cantuar' archiepiscopi, quos ad hoc per litteras suas patentes assignaverit.

"Et summone ex parte nostra omnes illos de balliva tua, qui custodiam vel aliquam ballivam habuerunt de rebus ecclesiasticis a tempore mote discordie inter nos et clerum Angliae, quod tunc coram predictis clericis domini archiepiscopi compareant, ad predictam inquisitionem audiendam.

"Teste meipso apud Northampton, xxxi die Augusti." *Foedera*, I, 114. See also *Close Rolls*, I, 164, 165.

on the Church. What men in the localities knew most on this subject? A quite definite answer is found in the *Annals of Waverley* for the year 1208. After telling of the publication of the interdict and how the angry king sent "his ministers" throughout England to confiscate church property, the chronicler continues: "Qui circueuntes regionem saisierunt bona clericorum mobilia et immobilia intra et extra, committentes curam rerum illarum in singulis villis vicinis hominibus, per quorum manus clerici perciperent de rebus suis necessaria".⁴ It is not possible to suppose that the king selected for this charge men in the bishops' villis. But it is altogether likely that men in nearby royal villis were used. From the king's point of view, such men would have been in every way most available. And it need not be supposed that every royal vill in the diocese, or even in the neighborhood, was concerned; it is clear, from the context, that *singulis* is used here in its frequent sense of "separate" or "individual" rather than "each" or "every". We may conclude that as many and such villis were selected as circumstances required.

That local groups had had custody and oversight of church property since 1208 and were, in August, 1213, regarded as having exceptional knowledge of the facts and as men whose presence at the local inquest the king desired in his own interest, is shown from the above mentioned writ of August 31: "Et summe ex parte nostra omnes illos de balliva tua, qui custodiam vel aliquam ballivam habuerunt de rebus ecclesiasticis a tempore mote discordie inter nos et clerum Anglie, quod tunc coram predictis clericis domini archiepiscopi compareant, ad predictam inquisitionem audiendam". As to the kind of group in each vill to which the confiscated property had been entrusted, it is highly probable that it consisted of the reeve and four men. For over a century, villis had nearly always been thus represented when called upon for any kind of public service; and in 1225 this group was employed throughout the country in collecting a "fifteenth"; the money passed into their hands first, a proceeding quite analogous to the handling of the church property in the instance under consideration, and there is an interesting parallelism in language: "Quam quidem quintam decimam milites illi recipient per manus quatuor legalium hominum et praepositorum singularum villarum," . . .⁵ It seems necessary to conclude that

⁴ The whole passage concerned reads: "Rex igitur hoc edicto generaliter pronuntiato per Angliam, miro modo turbatus, praecipit confiscari per universum regnum suum omnes possessiones episcoporum et clericorum et virorum religiosorum, et omnia bona ecclesiastica, et misit per singulas provincias ministros suos tam clericos quam laicos ad confiscanda bona ecclesiarum. Qui circueuntes regionem", etc. Stubbs, *Charters*, fifth ed., p. 274; *Ann. Waver.*, p. 260.

⁵ "Writ for the Collection of the Fifteenth." Stubbs, *Charters*, fifth ed., p. 356.

the juries summoned on July 21 were the same as those summoned on August 31 and that they consisted of the men in the demesne villis who had been keeping the church property. The order of events, then, was this:

1. The king, in 1208, turned over the confiscated church property in each diocese to the reeve and four men of certain nearby demesne villis. These men retained more or less custody or oversight of this property until 1213.

2. After his surrender to the pope, May 15, 1213, John was absolved by the archbishop on July 20, four days after the latter's landing in England. Two objects must immediately engage the king. First, he must assemble a council to further his cherished purpose of an expedition to France. The barons had long been refusing to follow him to France on the ground that he was excommunicate. Second, he was bound, however reluctantly, to take steps to indemnify the Church. The first step was to assess the "damages and losses", and the writs were sent on the day after he was freed from excommunication. The men who knew the facts and who at the same time would not be likely to overestimate the royal depredations were the groups from those neighboring royal villis to which the king had entrusted the confiscated goods. Through the sheriffs, he summoned them to St. Albans for August

4. The word *singulis* in the second line of the writ undoubtedly had the same meaning as in its analogous use in the passage from the *Waverley Annals*. Mr. Turner's fatal objection to demesne juries thus appears to be removed, and the writ throughout presents no real difficulty and may be accepted exactly as it stands in Wendover. As to the implication conveyed by the words *per illos et alios ministros suos* that the four men and reeve were ministers, it may be said: first, that men who had been acting so long as royal custodians might, with no great impropriety, be called ministers, especially in view of the very loose, general, and often humble senses in which *minister* was then used; secondly, if Mr. Turner believes that the episcopal reeve alone gives a sufficiently ministerial tinge to his group from the bishop's vill to account for the *alios*, we are certainly in no greater difficulty when we posit a reeve and four men from a royal vill. One has always been a little curious to know just who these *alios ministros suos* were from whom the king expected additional information. The sentence in the *Waverley Annals* just preceding the one quoted above suggests an answer: . . . "et misit per singulas provincias ministros suos tam clericos quam laicos ad confiscanda bona ecclesiarum". These men must also have had exceptional knowledge of the matters under investigation.

3. It has generally been concluded from the silence of the chronicles which tell of the St. Albans meeting that, for some reason, the plan fell through and the summoned juries did not convene. There is no reason to question this conclusion. It is highly improbable that the monkish chroniclers would have failed to mention an inquest in which the whole Church was deeply interested. From July 21 to August 4 was doubtless too short a time to carry out such an unusual scheme.

4. During August, the Archbishop of Canterbury seems to have taken the initiative in ordering local inquests on the same subject. He was probably exasperated by John's delays. John must have felt the necessity, if inquests were to be held, of having his own interests safeguarded; and, on August 31, sent out the writs of that date cited above. The same men were summoned who had been put in charge of the church goods in 1208, and, if the present deductions are sound, the same who had been named in the writs of July 21.

This explanation of the famous writ leaves it what it traditionally has been supposed to be, except that it is not to be believed that *every* royal vill was included in the summons. But its study in the light of what happened at the opening of John's quarrel with the Church and the local inquest ordered on August 31 removes, in the opinion of the writer, the difficulties which have beset its interpretation.

ALBERT BEEBE WHITE.

THE BOARD OF TRADE AT WORK

To the student of colonial history few English institutions offer more of interest than the one which, in name at least, presided over the destinies of the English establishments in North America, the Board of Trade and Plantations. The full story of its activities remains to be written, but in the course of investigations to that end many details of its inner life, scarcely less important and often much more interesting than the record of its public acts, have come to light. It seems not without value to bring these together to form a picture of the Board as a living, working body. For it is particularly true of the old British administrative councils that their internal history is often hardly inferior to their external career in importance. This is peculiarly true of the Board of Trade. It is proposed in the following study to describe as well as may be, what in an individual would be called, its private life.

"They had", says Roger North in his *Examen*, writing of a Restoration Council of Trade, "a formal Board with Green Cloth and Standishes, Clerks good store, a tall Porter and Staff and fitting Attendance below and a huge Luminary at the Door. And in Winter time when the Board met, as was two or three times a Week or oftener, all the Rooms were lighted, coaches at the Door and great passing in and out as if a Council of State in good Earnest had been sitting." Though these words were applied to an earlier establishment they are full of suggestions of the later and greater Board. Beginning its career in the spring of 1696 without precedent or traditions beyond such as were derived from these earlier bodies, the new Board of Trade had neither meeting-place nor employees, material assets nor order of procedure. By the second quarter of the eighteenth century it had become a fixed and elaborate institution, with the outward look of "a Council of State in good earnest", so that North's half-humorous description no doubt well fitted the later board to which he was accustomed. To trace some of the steps by which its complex organization was evolved, and to give a glimpse of its inner life, its character and membership, is the purpose of this paper.

One of the first requisites for a new establishment like this was a meeting-place. In the royal commission issued in May, 1696, the persons therein named were directed to "meet together at some con-

venient place in our palace of Whitehall which we shall assign for that purpose or at any other place that we shall appoint for the execution of this our commission".¹ Though the place was thus named by the king, the details were left to be arranged by the commissioners themselves. For the first few meetings they occupied a room at Whitehall, adjoining the apartments which, late in July, were assigned for their permanent use.² The Board in a body officially inspected the rooms,³ and spent considerable time discussing them, corresponding with the Treasury, the Lord Keeper, and even the king,⁴ and interviewing Sir Christopher Wren who was then surveyor of the royal works.⁵ As a result the office was fitted up in the course of the summer. It was occupied, however, only about a year and a half. On January 4, 1698, occurred the Whitehall fire, in which the Plantation Office, along with others, was destroyed.⁶ By prompt action on the part of the secretary and clerks, the papers were probably all saved with the exception of a bundle relating to Africa.⁷ The secretary, William Popple, took the books and papers to his home in Essex Street and there the meetings were held for about two months.⁸ During this time, as before, the Board negotiated with Sir Christopher Wren⁹ about the fitting up of the office.¹⁰ In March permanent quarters were provided in that part of old Whitehall which had been commonly known as the Cockpit, and which about this time was remodelled for the Privy Council Office.¹¹ By 1718 the Board had outgrown this location and was asking for repairs and the building of a new room,¹² but no change was made

¹ Board of Trade Journal (B. T. J.), vol. IX., p. 1.

² *Ibid.*, p. 25.

³ *Ibid.*, p. 12.

⁴ *Ibid.*, pp. 11, 13.

⁵ *Ibid.*, pp. 7, 8, 9.

⁶ B. T. J., X. 391.

⁷ B. T. Calendars, 66, contains an inventory of books and papers of the Plantation Office. Against one of them is the memorandum, "This bundle of African papers was lost in the fire at Whitehall Jan. 4. 1697/8".

⁸ B. T. J., X. 391-446.

⁹ *Ibid.*, pp. 397-398.

¹⁰ Even minor details were discussed at the Board. In one case the secretary was instructed to write for "locks, grates and tongs" for the rooms of the Board of Trade. B. T. J., X. 415.

¹¹ John Timbs, *Walks and Talks about London*. The word Cockpit was used only a few weeks. After May 30, 1698, the Board's papers were all dated at Whitehall, but there was no change at this time.

¹² B. T. J., XXVII. 65. In July, 1720, this demand was increased to two rooms, and from this time till 1736 requests for repairs were frequent. The complicated interrelation among parts of the British government may be illustrated by the fact that these requests were addressed at different times to the Lord Chamberlain, the Lords Justices, the Lords of the Treasury, and the Board of Works. The decision seems to have been that the Treasury was the proper authority. *Ibid.*, p. 181; XXX. 270, 283, 288; XXXI. 328, etc.

till 1723. In that year the Commissioners of Trade were asked to vacate their office in favor of the Bishop of London¹³ and were assigned to other apartments in Whitehall. Here they worked without interruption for nearly twenty years. In 1742 the building which they occupied was sold to the "Commissioners for Erecting a Bridge at Westminster", who demanded a rental of £120 annually and refused to lease the place for longer than a year and a quarter in advance.¹⁴ The Board paid rent till the summer of 1746, when a new office was fitted up in the Cockpit over the Treasury.¹⁵ Here—and it was probably true of earlier buildings as well—the clerks and under officers "resided in the attick story" above the rooms of the Board of Trade.¹⁶ No doubt this was in order to have them ever at hand, for their office hours were many and long. By 1774 the Board's lengthy reports and accumulated material had again outgrown the available space. On November 5, a petition was sent to the Treasury asking "either that the other state papers now kept in the rooms adjoining to these apartments on the South may be removed or that some other place within His Majesty's Palace of Whitehall may be appointed for carrying on the business of this department".¹⁷ As this is the last trace in the Journal of the housing of the Board, the situation, most likely, was not relieved till the dissolution in 1782.

In spite of these repeated changes, the general arrangement of the Plantation Office must have been similar throughout. With the exception probably of the first temporary location, it always consisted of four rooms or groups of rooms. The Council Chamber, where formal meetings of the Board were held, must have been of considerable size, as it was usual to give audience to a number of people at one time.¹⁸ Here the commissioners seem to have sat around a table, each having his own place according to a definite order of precedence.¹⁹ Communicating with this room from one side was that of the secretary, and from another side the waiting-room or rooms²⁰—for there were at times several of them—

¹³ B. T. J., XXXIII. 194.

¹⁴ *Ibid.*, vol. LI. pt. I., p. 75.

¹⁵ *Ibid.*, LIV., 49.

¹⁶ *Ibid.*, LXVI. 197.

¹⁷ *Ibid.*, LXXXII. 69.

¹⁸ *E. g.*, March 26, 1737, when a "great number of Quakers" attended the Board. B. T. J., XLVII. 98.

¹⁹ The names of the Lords of Trade always appear in a fixed order. When a name was omitted from the Commission, all below it were advanced and the name of the new member placed at the end of the list, except that a peer's name took precedence of others.

²⁰ B. T. J., XXXVIII. 235.

where witnesses, petitioners, and visitors of all sorts had to wait till formally admitted to the Board. Besides these²¹ there was the clerks' room, which was most carefully guarded from outside intrusion. It was furnished with a separate desk for each clerk²² and facilities for the constant drafting, copying, and assorting of documents.

It will be seen, then, that the Colonial Office was an establishment of considerable size and orderly arrangement. The Board of Trade which occupied this office was likewise well organized. It consisted at the outset of eight active and eight honorary members. The honorary or ex-officio members, the Chancellor, President of the Council, Keeper of the Privy Seal, Lord Treasurer, Lord High Admiral, two Secretaries of State, and Chancellor of the Exchequer, were required to attend the Board only on special occasions.²³ On the active members, two²⁴ lords and six commoners, devolved therefore the responsibility of office. The member first named in the commission—and this was always a peer—was the president. Three members were to constitute a quorum for the transaction of business, while all letters and representations must be signed by five. This last requirement was lowered to four in 1697.²⁵ From 1707 to 1712 only seven active members were named, and from 1712 to 1717 the Chancellor of the Exchequer was omitted from the honorary list. Otherwise the constitution of the Board was unchanged until 1768, when the newly established Secretary of State for the Colonies became ex-officio president, and only seven members were appointed by name. From 1779 to the dissolution in 1782 there was a separate president, thus making up the usual number of active members apart from the Secretary of State.

The Board seems to have had full authority over the time and frequency of its own meetings;²⁶ and if the number of them is any

²¹ It is clear that there must have been also, especially in the Board's later years, a room or group of rooms used for storing the immense mass of books and papers that had accumulated. Curiously enough, the *Journal* makes no mention of such rooms.

²² B. T. J., LVI. 100.

²³ "And we do hereby further declare our royal will and pleasure to be that we do not hereby intend that our Chancellor [etc.] . . . shall be obliged to give constant attendance at the meetings of our said Commissioners, but only so often and when the presence of them or any of them shall be necessary and requisite and as their other public service will permit." From the Commission, B. T. J., IX. 1. It is printed in *N. Y. Col. Doc.*, IV. 145.

²⁴ After 1714 and during short intervals before that time, only one lord was appointed to the Board, the other members being commoners.

²⁵ B. T. J., X. 233.

²⁶ *E. g.*, on June 25, 1696, the Board decided to meet every Monday at 4 p. m. and every Wednesday and Friday at 10 a. m. (B. T. J., IX. 7) and on June 23, 1702, it decided to meet Mondays and Wednesdays at 4, and Tuesday, Thursday, and Friday at 10 (*Ibid.*, XV. 97).

indication, it must have been, during the first few years of its history, a very efficient public servant. In the first ten years it was not uncommon to meet eighteen, twenty, or even twenty-four times a month, and the average per month for a whole year was sometimes as high as eighteen or nineteen. By the middle of the century this average had been lowered to the neighborhood of ten, the Board's zeal having somewhat abated. After 1768 there was a more marked falling off, due possibly to the decrease of the Board's authority and its dependence on the Secretary of State for the Colonies.²⁷ Not only were the meetings less frequent in the winter, but it came to be customary to indulge in a vacation in the summer or autumn. As early as the '30's it was common to adjourn²⁸ for a month, and as time went on this was increased to two months and even three during which no effort was made to hold any meetings whatever. Perhaps this may throw some light on Edward Gibbon's admission that "our duty was not intolerably severe and that I enjoyed many days and weeks of repose without being called away from my library to the office".²⁹

In attendance as well as the number of meetings the Board made a good beginning. At first the average attendance ranged from four to six with a "full Board" on special occasions. In this as in other particulars enthusiasm waned toward the middle of the century, though it was somewhat renewed again at the end of the period. As early as 1708 there was some difficulty in getting enough members together to transact business,³⁰ and in 1709 the Earl of Sunderland ordered that enough members to form a quorum should be always in town.³¹ When this was not the case a special summons was sometimes sent to the absentees who happened to be at the

²⁷In 1774 the Board met, on an average, about twice a month, the lowest figure that it ever reached. Even this compares favorably with the Committee of Council for Trade and Plantations from 1675 to 1696, which met seven times a month during only one year, five times a month during one year, and the rest of the time from four times to a little more than once a month. Dr. Andrews says (*British Committees, Commissions, and Councils of Trade and Plantations, 1622-1675*, p. 78) that the Council of Trade held forty meetings in the year 1661. The Board held 35 meetings in 1774, 100 in 1767, 135 in 1749, 162 in 1730, 189 in 1715, and 230 in 1697.

²⁸Adjournment might be for the "usual recess" in the summer or for other reasons. On March 7, 1768, the Board adjourned till April 12, "on account of the approaching general election". B. T. J., LXXVI. 58. As most members of the Board were members of Parliament, they probably needed this time to look after their interests in the country.

²⁹*Memoirs of Edward Gibbon* (ed. Henry Morley), p. 176. Gibbon was a member of the Board from July 14, 1779, to the disestablishment in 1782.

³⁰B. T. J., XX. 35; XXI. 225.

³¹*Ibid.*, XXI. 234.

least distance from London.³² A few times in 1733 Martin Bladen was left to uphold, alone, the dignity of the office.³³ So far as appears in the Journal the "Secretary acquainted the Board"³⁴ as usual of the business to be transacted and all the routine was gone through as though a quorum had been present.

The fact that anything at all could be done with only one member present is due, no doubt, to the constant attendance of the employees. Through them the Plantation Office was a permanent and continuous establishment which was always at work even when the Board itself did not meet. It is necessary, therefore, to glance at the office force and see just how it was constituted. The secretary was the most important official next to the commissioners themselves. At the first meeting that the Board ever held, June 25, 1696, it was decided to have a secretary and William Popple was appointed to that office.³⁵ Although this appointment was made by the Board, all following secretaries were named by the crown, while the Board continued to choose the other officials. In the first few weeks, employment was given to three clerks, two messengers, two doorkeepers, and a "necessary woman" or janitress, while two stationers were engaged to furnish paper under the Board's patronage.³⁶ In 1701 another clerk was added.³⁷ By 1708 the office staff consisted of a secretary at £500, a deputy secretary or chief clerk at £100, and seven clerks, two messengers, a doorkeeper, and a janitress, at from £80 to £30, the total amounting to £1150 a year.³⁸ After removing to the new office in 1724 the Board felt the need of a porter to attend at the door. The request was granted by the Treasury and the new officer installed at £40 per annum.³⁹ In 1730 the Board asked for and obtained still another official known as the solicitor and clerk of reports, at £200.⁴⁰ For over thirty years this position

³² B. T. J., XL. 176.

³³ *Ibid.*, XLIII. 112, 114, 127, 128.

³⁴ After reading the Journal's frequent repetitions of this formula one is tempted to reverse the familiar story told of Bladen that when he applied himself to the business of the office, his friends in derision called him "Trade" and his colleagues "the Board". See *Dictionary of National Biography*, art. Martin Bladen.

³⁵ B. T. J., IX. 7.

³⁶ *Ibid.*, pp. 8, 11.

³⁷ *Ibid.*, XIV. 194.

³⁸ *Ibid.*, XX. 22.

³⁹ *Ibid.*, XXXIV. 115, 190. In 1733 the secretary reported that disorderly persons were in the habit of causing disturbance in front of the office at night. The Board therefore petitioned the Secretary at War for a sentinel to station at the door. B. T. J., XLIII. 13. I failed to find any evidence in the Journal that this officer was appointed.

⁴⁰ B. T. J., XL. 204; also, *Calendar of Treasury Books and Papers*, 1729-1730, p. 437.

stood next in rank to the secretaryship and served as a stepping-stone to that post. In 1764 the deputy secretary was promoted to second place at £300, while the solicitor at £150 stood between him and the clerks. At the same time the number of clerks was raised from seven to nine, and all the salaries increased.⁴¹

There were, then, at the end of the period, at least fifteen persons—some of them with considerable salaries—directly under the Board's control. Besides these there was a law-officer who must be counted a part of the establishment, though his position was on a higher plane than that of the other officials, and his attendance was only occasional. The reason for such an office was this: all colonial laws had to be examined by the Board of Trade and submitted by it to the king with a recommendation for their confirmation or repeal. Also many colonial questions were considered on which a technical legal knowledge was necessary. To obtain a legal opinion, it was at first customary to consult the attorney-general and the solicitor-general, sometimes separately and sometimes jointly. In order to make their work more systematic, they were, in November, 1698, asked to divide the field between them.⁴² By 1718 the amount of business had outgrown the available time of either. It was, therefore, decided to appoint one of His Majesty's counsel-at-law to respond to all legal questions of the Board except those of the greatest importance, which were still to be referred to the attorney or solicitor.⁴³ This office was held by four persons: Richard West,⁴⁴ who was a playwright as well as a lawyer, held it from 1718 to 1725; Francis Fane, himself a member of the Board at a later time, from 1725 to 1746; Matthew Lamb, at one time a member of Parliament for Peterborough, from 1746 to 1770; and Richard Jackson,⁴⁵ whose remarkable knowledge won for him the title "Omniscient Jackson", from 1770 to the end of the Board's career in 1782.

The employees of the office, especially the clerks, were subject to rules⁴⁶ devised by the Board itself and varied from time to time. The hour at which they were to report for duty was sometimes eight o'clock, sometimes later, but there was always provision for an

⁴¹ B. T. J., LXXII. 348. The ninth clerk seems never to have been appointed, though the eight served for some time.

⁴² B. T. J., XI. 278.

⁴³ *Ibid.*, XXVII. 133, 203.

⁴⁴ West is said to have attended the Board twice a week and received three guineas for every attendance. *Cal. Treas. Papers, 1720-1728*, pp. 114, 313. He resigned this office in 1725 to become Lord Chancellor of Ireland. See article Richard West in *Dict. of Nat. Biog.*

⁴⁵ For details of Jackson's life, see *Dict. of Nat. Biog.*

⁴⁶ Such rules may be found in B. T. J., XXIV. 341; XXXVII. 183; XXXVIII. 235; XLI. 124; XLV. 66, 260; L. 30; LVI. 100; LXXII. 541; etc.

afternoon and, if necessary, an evening session, subject to the call of the secretary. In any case clerks were expected to be at work regularly without reference to meetings of the Board, in order to prepare business for such meetings. No clerk could leave the building without permission of the secretary, and before leaving it each one must turn over to that officer all books and papers in his desk to be locked up for safe keeping. The strictest vigilance was maintained to prevent documents from falling into the hands of persons for whom they were not intended. To this end, papers were not allowed to leave the building without permission of the Board, and the clerks while on duty were forbidden to communicate with anyone from outside, except through the agency of the secretary. Two rules were made to prevent the corrupting of clerks—that they should not act as agents for the plantations,⁴⁷ and that “no clerk should presume to demand money of any person for business done in this office”.⁴⁸ This latter seems not to refer to extraordinary attendance at the Board or the copying of papers for private persons, for which fees could legitimately be taken. The Privy Council issued an order August 12, 1731,⁴⁹ settling a schedule for such fees, and this was hung up in the office and referred to during the remaining fifty-one years of the Board's history.⁵⁰ The penalty for violation of rules was dismissal from employment, and it was one not infrequently resorted to. It might be inflicted directly by the Board, or by the secretary, who had authority to suspend clerks for neglect of duty and submit his action afterwards to be sustained or reversed by the Board. The two most interesting cases of dismissal are those of Bryan Wheelock and John Lewis. Wheelock was expelled July 13, 1714, for charging Arthur Moore, a member of the Board, with improper correspondence with the court of Spain.⁵¹ He was, however, soon reinstated and promoted to the office of head clerk,⁵² which he held till his death in 1735. Lewis was accused in July, 1769, of having written treasonable letters to persons in America advising continued opposition. Testimony was taken of the other clerks and, being convicted of the charge, he was dismissed.⁵³

⁴⁷ On May 1, 1724, Anthony Sanderson, a clerk, asked permission to act as agent of Massachusetts, till the dispute with the governor be settled. It was refused as inconsistent with the above rule. B. T. J., XXXIV, 107, 110. This incident is referred to in a letter dated May 24, 1724, from John Colman in London to his brother in Boston, giving an account of a hearing before the Privy Council on a complaint brought by Governor Shute against the House of Representatives of Massachusetts. Printed in *Collections of the Massachusetts Historical Society*, first series, V, 32-35.

⁴⁸ B. T. J., XXIV, 341; XL, 202.

⁴⁹ *Ibid.*, XLI, 230.

⁵⁰ *Ibid.*, LXXXVIII, 32.

⁵¹ *Ibid.*, XXIV, 263.

⁵² *Ibid.*, p. 341.

⁵³ *Ibid.*, LXXVII, 120, 132.

When, for any reason, a clerk left the service, all below him were promoted and the new appointee placed at the foot of the list. It was not uncommon for a clerk who had grown to old age or infirmity in the service of the Board to be retired on the whole or a part of his salary. This was done as early as 1714.⁵⁴ In 1764 the plan was adopted on a large scale.⁵⁵ Lord Hillsborough represented to the Chancellor of the Exchequer the need of more clerks and of higher salaries. As a result the Treasury made an additional grant of £1715 per annum to be used as the Board should see fit. The Board thereupon created two new clerkships,⁵⁶ raised all salaries, and allowed the deputy secretary and four clerks to retire on a pension for life.⁵⁷ As pensions reverted they were to be applied to still greater increase in salaries.

The appointment of officers, as time went on, was reduced to a definite system of patronage. The president gradually acquired the right to fill the first vacancy after he came into office, while the other commissioners took turns in naming a candidate, and their nominations were always accepted. This method was in use until 1764. On July 4 of that year, the same day on which the pensioning system was arranged as already noted, the Board adopted a "civil-service reform" of its own making.⁵⁸ By this each candidate for a clerkship was to present a specimen of his writing and write another specimen "in the outer room". The members of the Board still took turns in suggesting names, but each must be examined as to the qualifications of his candidate, and must withdraw during the discussion that followed. If the election failed he was not to lose his turn to nominate. In practice the applicants seem also to have undergone some sort of examination,⁵⁹ and several clerks served a week or more on probation without salary before being admitted to

⁵⁴ *Ibid.*, XXIV. 341.

⁵⁵ *Ibid.*, LXXII. 348.

⁵⁶ We have already seen that only one of these positions was ever filled. See above, note 41.

⁵⁷ It must be owned that many people seem to have looked upon employment in the Board's office as a means of livelihood, rather than a post of duty. The commissioners did not easily desert their servants. In July, 1781, the secretary, Richard Cumberland, came back from a mission to Spain and Gray Elliot, who had acted in his absence, was thus thrown out of office. On July 13 the Board recommended him to Lord North for employment. B. T. J., LXXXIX. 270. On the 18th an answer was received that North had no vacancy for Elliot but would "certainly make no difficulty" in allowing £250 in contingencies of the Board till he could be provided for and would "consider himself as obliged to the Board" if they could save this amount from their expenses. *Ibid.*, p. 279.

⁵⁸ B. T. J., LXXII. 348.

⁵⁹ *Ibid.*, p. 444.

regular employment.⁶⁰ By 1779 these details had been dropped and the old method of appointment resorted to.⁶¹

A study of the names and relationships of the Board's employees might produce some curious results. Some families stood in high favor with the colonial department, and acquired a remarkable ability for getting their names on the waiting list.⁶² The Popples are the best illustration of this. The Board of Trade's first secretary, William Popple, who by the way was a nephew and protégé of the poet Andrew Marvell and had himself a slight place in literature through his translations,⁶³ left his office in turn to his son William⁶⁴ and his grandson Alured,⁶⁵ the family holding it continuously for forty-one years. But that is not all; in 1737, the year in which Alured Popple of the third generation resigned the secretaryship to become governor of Bermuda,⁶⁶ William Popple the third, another member of the family and a dramatist of some note, entered the Board's employ as solicitor and clerk of reports.⁶⁷ This post he held till 1745 when he went to Bermuda to succeed Alured as governor.⁶⁸ Not only this but Alured himself served an apprenticeship as a clerk for five years before being made secretary⁶⁹ and his brother Henry was a clerk for a few months in 1727.⁷⁰ The Popple family, therefore, spent sixty-three years in one capacity or another in the service of the Board of Trade.

The only family that can at all rival the Popples is that of the Pownalls. John Pownall entered the Board's service as a clerk June 24, 1741.⁷¹ He became solicitor and clerk of reports in 1745,⁷² joint secretary in 1753,⁷³ and secretary in 1758,⁷⁴ holding this office

⁶⁰ B. T. J., pp. 457, 467; LXXIII. 130.

⁶¹ *Ibid.*, LXXXVII. 210.

⁶² *Ibid.*, XXX. 336; XXXII. 64.

⁶³ *Dict. of Nat. Biog.* His most famous translation was that of Locke's *Letter on Toleration*. He was associated with Locke at the Board of Trade.

⁶⁴ B. T. J., XIX. 165.

⁶⁵ *Ibid.*, XXXII. 100.

⁶⁶ *Ibid.*, XLVII. 186.

⁶⁷ B. T. J., XLVIII. 106. According to an article in the *Dictionary of National Biography*, William Popple III., who was clerk of reports, was the only son of William Popple II., the Board's second secretary, and was a "relative" of Alured. It is very clear from the *Journal* that Alured and Henry were brothers and were sons of the second William. B. T. J., XXXII. 64, 100; XLIII. 161; XLIV. 174. Who the third William was I do not know, though I had supposed him to be Alured's son. He is spoken of in Pope's *Dunciad*—"Lo P-p-le's brow tremendous to the town". *Dict. Nat. Biog.*

⁶⁸ B. T. J., LIII. 63.

⁶⁹ *Ibid.*, XXVI. 223.

⁷⁰ *Ibid.*, XXXVII. 83.

⁷¹ *Ibid.*, L. 67.

⁷² *Ibid.*, LIII. 63.

⁷³ *Ibid.*, LXI. 153.

⁷⁴ *Ibid.*, LXVI. 238.

till 1776⁷⁵ and thus completing thirty-five years of uninterrupted service. Though he did not bequeath his office to his descendants as Popple had done, two of his family, George⁷⁶ and John Lillington Pownall,⁷⁷ held clerkships. Besides these two conspicuous families there are a number of other persons on the office staff, whose similarity of names makes one stop and wonder how these people were related and how they came by their posts.⁷⁸ A few of the Board's employees seem to have been old and infirm at the time of appointment, and at least three were retired on a salary after from four to six years' service.⁷⁹ On the other hand, many spent years and even a lifetime in the Board's employ. A dozen men served twenty-five years or more—some of them much more—and one of them, Samuel Gellebrand, first as clerk and later as deputy secretary, gave fifty years of his life to the Board of Trade.⁸⁰

Employment in the Colonial Office must have served as a good training for other posts in the government service—unless indeed it was simply a stepping-stone to further patronage. Whatever the explanation, several of the Board's servants were chosen for work in allied fields. We have already seen that Alured and William Popple were called away from the Board's service, in 1737 and 1745 respectively, to become governors of Bermuda. In 1711 Bryan Wheelock, then only a clerk, accompanied Sir John Copley on a mission to Italy,⁸¹ and in 1717 another clerk, William Hoskins, was chosen by John Chetwynd, himself a member of the Board, to attend him on a similar mission to Spain.⁸² In 1761 John Pownall the secretary left his work to go to Ireland with Lord Halifax⁸³ who was then Lord Lieutenant. In 1765 Silvester, the clerk of reports, gave up his position because he had been appointed agent "to the intended new government in Africa".⁸⁴ Again on May 7, 1776, Ambrose Serle, the clerk of reports, was given leave of absence without pay to become under-secretary to the "Commission which Lord Howe

⁷⁵ *Ibid.*, LXXXIV. 6.

⁷⁶ *Ibid.*, LXXX. 192; LXXXIII. 47.

⁷⁷ *Ibid.*, LXXVIII. 15; LXXX. 192.

⁷⁸ There were three Serles, two Hills, two Wrights, two Griffins, two Sedgewicks, and two Grays.

⁷⁹ Maurice Carrol, 1708-1714, and Daniel Cuchow and Robert Green, 1760-1764, all clerks.

⁸⁰ B. T. J., XX. 22; LXVI. 149.

⁸¹ *Ibid.*, XXIII. 79.

⁸² *Ibid.*, XXVI. 276. Chetwynd was envoy extraordinary and plenipotentiary to Madrid. *Ibid.*, p. 250.

⁸³ B. T. J., LXIX. 300.

⁸⁴ *Ibid.*, LXXII. 154. This was Senegambia. A plan to establish a government there was discussed at intervals in the first half of 1765, and by August the agents of the government were negotiating with the Board.

took to America".⁸⁵ Also Richard Cumberland, the Board's last secretary, was sent secretly in 1781 to help negotiate a Spanish treaty.⁸⁶

These specific instances serve to illustrate the close relation between the Board of Trade and Plantations on the one hand, and the great world of colonies and trade on the other. Indeed unless their position was purely a sinecure as some have maintained, the men in this office must have had an excellent opportunity to become familiar with colonial questions. This was especially true of the secretary who figures as a very considerable personage.⁸⁷ He seems never to have had a vacation. He and at least some of his clerks were always at their posts to receive communications and prepare business for the meetings of the Board. He opened the Board's letters;⁸⁸ he transacted routine business, such as transmitting accounts to the Treasury, without waiting for orders;⁸⁹ he interviewed petitioners and visitors of all sorts, afterwards reporting their visits; he received innumerable communications in his own name and answered many of them, submitting his answer, however, for the Board's approval; he had the custody of all papers and the supervision of all clerks. If Mr. Penn postponed his attendance on the discussion of the Pennsylvania boundary, it was the secretary that received and reported the message. If the Board wished to interview certain men, it was the secretary who found out in some way that they were or were not in town. If the Lords of the Treasury or the Commissioners of Customs sent a message, it was usually delivered in the morning before the Commissioners of Trade had arrived, but the secretary was always there to receive it. He abstracted lengthy

⁸⁵ B. T. J., LXXXIV. 78. Serle is classified as a "Calvinist writer". He was the author of the *Christian Remembrancer*, *Christian Husbandry*, *The Church of God*, and other works. From 1776 to 1778 he accompanied the British army to America and during part of that time had control of the press in New York. *Dict. Nat. Biog.*

⁸⁶ B. T. J., LXXXIX. 260. Cumberland was a dramatist, beginning his literary career at an early age. According to the article in the *Dictionary of National Biography*, he owed his preferment to the favor of Lord Halifax. According to that article, the latter made him "his private Secretary in the Board of Trade" and as the office was "nearly a sinecure" he "amused himself by studying history and composing an epic poem". The Journal contains no record of his being a clerk in the office before his appointment as clerk of reports in 1765, and Halifax had not been a member of the Board since 1761.

⁸⁷ His influence with the Board may be shown by an illustration. On December 17, 1746, the Board adjourned till January 11 following. On December 23, the secretary called a meeting to receive a petition from the Bristol merchants against the edict of the French king. B. T. J., XLVI. 189.

⁸⁸ B. T. J., IX. 309.

⁸⁹ The president of the Board also, at times, transacted business alone during a recess. For an illustration of this see Westmoreland's action, February 20, 1728. B. T. J., XXXVIII. 43.

documents for the Board's convenience; procured books and papers for its use; summoned men to appear at its session; investigated various commercial projects; kept himself informed about the sailing of ships and other matters of interest. In fact everything that was done or said was passed in some way through the hands of this ever present secretary. Every detail from the misdemeanor of a clerk or the need of having a wall of the office whitewashed, to important matters of policy, was brought to the notice of the Board by this same official. It is a temptation to feel that the secretary of the Board of Trade must have been a really learned man on the subject of the colonies, or else the most mechanical worker in the kingdom.

It has been seen that the Board's establishment became constantly larger, and it naturally follows that it became also more expensive. The salaries of employees amounted to something like £800 in the earlier years and by the end of the period had reached £2000. But this was only one source of expense. The Commissioners themselves were drawing a salary of £1000 each.⁹⁰ Besides this there was the cost of housing, light, heat, materials, and postage. For the whole they were dependent on the Treasury. Curiously enough, no systematic arrangement was made at first to furnish the Board with funds. George Stepney reported, December 31, 1697, that he had paid for the new commission in which his name was inserted, to the amount of £70, out of his own pocket, and asked to be reimbursed from the Treasury.⁹¹ In the following April some of the employees were believed to be in actual want, their salaries being one year in arrears.⁹² In February a novel arrangement was resorted to. The secretary received from the Treasury £150 in Malt Lottery tickets of £10 each, and was ordered to "sell these as best he can".⁹³ In May one Mr. Berry presented a bill for maps, and the secretary was ordered to give him a malt ticket and the rest in money; but the secretary being entirely out of the latter, was sent out into the city to dispose of more tickets.⁹⁴ Indeed the malt tickets continued to be

⁹⁰ The Journal contains no statement of the amount of salary received by the Lords of Trade. From the Treasury Papers we know that in 1730 it was £1000 each, and it is not at all likely that this would decrease. Moreover, Edmund Burke declared in 1780 that the salary was £1000. On the other hand, Edward Gibbon wrote, "I was appointed one of the Lords Commissioners of Trade and Plantations and my private income was enlarged by a clear addition of between £700 and £800 a year". *Memoirs of Edward Gibbon* (ed. Henry Morley), p. 276. See *Calendar of Treasury Books and Papers, 1729-1730*, p. 407, and *Works of Edmund Burke*, II. 109.

⁹¹ B. T. J., X. 386.

⁹² *Ibid.*, XI. 17.

⁹³ *Ibid.*, X. 424.

the chief source of supply throughout the year. Even when they were gone, the Board received a somewhat precarious support at the hands of the Treasury,⁹² the salaries being frequently in arrears.⁹⁶

It gradually became the custom to send to the Treasury every quarter—at Lady Day, Midsummer, Michaelmas, and Christmas—an itemized account which, besides the clerks' salaries, included the secretary's account for incidentals, the stationer's bill, and a bill for postage. To this was added once a year a bill for "wood and coals" or "wood, coals and candles".⁹⁷ The bills were prepared and presented by the secretary and were frequently gone over, article by article, and signed by the Board before being sent to the Treasury. The amounts varied greatly from year to year. In 1708 this quarterly bill, apart from salaries, was £506 1d., of which £266 11s. 2d. were for postage. In the reign of George I., the bills were ranging between £400 and £900 and by 1730 had reached £1200. For some years accounts were not kept in detail. By 1763 the cost of maintaining the office had grown to £2098 4s., and this too, in spite of the fact that since 1746 all correspondence of the Board had been sent free of postage.

For years postage was a real burden. As early as October, 1696, William Blathwayt, in delivering a package of letters from the plantations, said that if free postage was not allowed as for the late Committee of Trade and Plantations the charge would soon amount to £500 per annum.⁹⁸ This estimate was somewhat exaggerated and produced no result. The Board asked for free postage in 1697,⁹⁹ but it was not granted, and bills from the Post-Office were frequently received¹⁰⁰ in spite of the fact that the quarterly estimate of expense always included an account with the postmaster. The charges on one box of papers from America, in the summer of 1746,

⁹⁴ B. T. J., XI. 55.

⁹⁵ Though a part of the government, the Board appears in some respects more like a private organization. Thus it paid for its own commission—evidently a fee for passing the commission under the seal. It paid for statutes, copies of bills before the House of Commons, etc. Judging from the Journal, each branch of the government paid every other branch for service done as though all had not been parts of one great whole.

⁹⁶ B. T. J., XXIII. 316; XXXIII. 128; XXXIV. 20; XXXV. 191. In 1769 the Board was in debt. B. T. J., LXXVII. 1.

⁹⁷ Besides the bills presented by the Board, the Treasury paid a good many fees presented individually. The attorney-general and solicitor-general before 1718, and after that the counsel-at-law, were paid for each attendance. So also were clerks of the Council and various servants and messengers. After the appointment of the counsel-at-law the Treasury decided that the attorney's and solicitor's fees should be taken out of the incidental expenses. B. T. J., XXX. 326. *Treas. Papers*, 1728-1730, p. 114.

⁹⁸ B. T. J., IX. 192.

⁹⁹ *Ibid.*, X. 127.

¹⁰⁰ E. g., *ibid.*, XIII. 244; XXXIX. 28, 240.

was "upwards of £30".¹⁰¹ To this the Lords of Trade objected, and it was probably as a result of their complaint that the king¹⁰² in November issued a warrant to the Postmaster General¹⁰³ freeing from postage all letters of the Board of Trade. In 1764 an act of Parliament was passed to "prevent frauds and abuses in the sending and receiving of letters and packets free of postage".¹⁰⁴ By this act the officers and departments that were exempted from postage, including the Board of Trade and Plantations, were required to authorize two persons each in their respective offices to endorse letters. The Board of Trade appointed for this duty Richard Rogers the deputy secretary and Silas Bradbury the clerk of reports, and decided on a form of endorsement as follows:¹⁰⁵

On His Majesty's Service	
R ^d Rogers	
to Mr. Thos. Styles	
at	
Portsmouth.	
Office of	
Trade and	
Plantations.	

All letters and packages authorized by the Board were supposed to be superscribed according to this model.¹⁰⁶

The importance of postage as an item of expense is not so surprising when one considers the large amount of written matter which found its way to the Board by post, and this is only part of the immense mass of manuscript material preserved in the office. When Burke made his celebrated attack on the Board he ridiculed its 2300 volumes of reports¹⁰⁷ and very likely this was not exaggerated. The Journal alone from 1675 to 1782 comprises ninety large volumes.¹⁰⁸ Perhaps a brief description of the Board's system of book-keeping will throw some light on its methods. The transactions of each meeting were reported, supposedly in full, in the Journal, the account containing the date and place of meeting, the names of those

¹⁰¹ *Ibid.*, LIV. 71.

¹⁰² *Ibid.*, p. 85.

¹⁰³ In October, 1755, the Postmaster General wrote to the Board that he had provided vessels for regular monthly correspondence with the colonies. B. T. J., LXIII. 303.

¹⁰⁴ 4 Geo. III., c. 24.

¹⁰⁵ B. T. J., LXXII. 182.

¹⁰⁶ There was at a later date some controversy as to whether or not the Lords of Trade were individually entitled to exemption under this act. B. T. J., LXXXVIII. 179.

¹⁰⁷ *Parl. Hist.*, XXI. 235.

¹⁰⁸ I have seen only the manuscript copies in the Historical Society of Pennsylvania. I understand that they are an exact reproduction of the original, not only in subject-matter but in paging, division of volumes, etc.

present, and usually a detailed report of all that took place. The last is, for the most part, naïve and straightforward and makes the reader feel that he has almost been present and watched the Board at its work. A vast army of men and women throughout these eighty-six years appeared at the Plantation Office and either made complaints or furnished information on some phase of the colonies or trade. Such complaints and information, when given orally as they frequently were, were reported in the Journal, often in the minutest detail, and plentifully sprinkled with quotations from the speaker's own words. In this way, not only the general heads of colonial business, but also in great measure the personality of the visitors, is preserved for the student. There were times when many details were omitted, owing no doubt to neglect. Especially at times between 1730 and 1740 it was not uncommon to make a more perfunctory and less picturesque account of the day's proceedings, but in the main, description is full. To the secretary, with the help of the clerks, was entrusted the compilation of reports and it was necessary to impose some check on them. To this end it was decided on December 20, 1714, that henceforth the minutes of each meeting should be read at the next meeting, and before being entered in the Journal should be signed by the commissioner highest in rank who should be present at the reading and had also been present when the business was transacted.¹⁰⁹ This rule was re-enacted from time to time,¹¹⁰ and was for the most part adhered to, to the end of the Board's career.

But the Journal was, as we have seen, only a small part of the Board of Trade papers. To this must be added innumerable documents in the form of petitions, complaints, depositions, letters, narratives, etc., which in one way or another were introduced into the office, besides the bulky colonial correspondence which¹¹¹ was kept up more or less regularly throughout the entire history of the Board. All this material from whatever source was filed away in sections arranged according to subject. There was a bundle—or collection of bundles—for each colony; one marked "Proprieties" dealing with matters peculiar to proprietary governments; one called "Plantations General" having to do with matters of general colonial concern; a bundle on Trade, doubtless with subdivisions; and a miscellaneous one which included, among other things, all papers referring to the internal affairs of the Board itself. When one considers

¹⁰⁹ B. T. J., XXIV. 341.

¹¹⁰ E. g., *ibid.*, XXXVII. 183; LVI. 100.

¹¹¹ This was at times in duplicate, the originals being sent to the Secretary of State.

that the series "Plantations General"¹¹² alone occupies thirty-one large folio volumes, and "Proprieties"¹¹³ twenty-four of the same sort, it is possible to imagine the extent of the whole collection. The Board's method of book-keeping, at its best, involved marginal notes. In the margin, opposite each reference to papers, was an abbreviated word, indicating the department in which such papers had been filed. Besides this there was, during part of the period, an exact citation to the series, bundle, and number of paper within the bundle. As time went on the clerks became more careless about this and at times it was omitted altogether. Some papers referred to more than one colony and of these duplicates might be made by the clerks, and a copy filed in each of several bundles. This is not the only case of duplication. In December, 1699, a fire in the Cockpit caused some fear that the disaster of the previous year might be repeated. Fearing the destruction of the records the Board thought seriously of having them all transcribed in order to keep duplicates in a separate place, and ordered a "competent number of sacks" for carrying them away.¹¹³ The only evidence of such duplication is found in certain entry books in a series called Trade Papers.¹¹⁴ Perhaps want of funds defeated the project. In a few isolated cases the Journal, for no apparent reason, contains two copies of the same minutes.¹¹⁵

The Board of Trade not only accumulated papers of its own, but started life with a considerable stock-in-trade bequeathed from previous councils, commissions, and committees of like purpose. The continuous Journal for some reason begins, not with the forming of the Board in 1696, but with the appointment of the committee of Privy Council which took the place of the disestablished Council of Trade and Plantations in 1675. Before that time the records were somewhat fragmentary. In July, 1696, the books and papers of the Plantation Office which were in the hands of Povey, a clerk of the Privy Council, were, by an order of Council, turned over to William Popple, the secretary of the new Board.¹¹⁶ Blathwayt presented further papers in 1703.¹¹⁷ In 1707 an effort was made to

¹¹² According to the Pennsylvania transcript.

¹¹³ B. T. J., XII. 302.

¹¹⁴ On authority of Dr. C. M. Andrews.

¹¹⁵ Thus at the beginning of volume XXIX. there are a few pages that duplicate others at the end of volume XXVIII., and cover the minutes of July 21, 22, 24, 28, 29, 30, and August 4, 5, 1719. December 18, 1735, and February 4 to April 18, 1777, are duplicated, and December 30, 1777, duplicated and enlarged.

¹¹⁶ B. T. J., IX. 33.

¹¹⁷ *Ibid.*, XVI. 137. Blathwayt also had been a clerk of the Privy Council but was now a member of the Board of Trade, having been named in the first commission in 1696.

purchase colonial papers that had been preserved in private hands, but this seems to have failed.¹¹⁸

Besides official documents, a large amount of printed and illustrative material was acquired by purchase and otherwise. A few illustrations will suffice. In March, 1697, "on suggestion that some of the public printed newspapers sometimes contain matters of fact that may be useful to be known for the service of this commission", it was ordered that one of each be taken.¹¹⁹ In July, 1738, a copy of Rymer's *Foedera* was bought for the office.¹²⁰ In 1734 Henry Popple, the secretary's brother, having published a set of maps of the British Empire, a subscription was made for the Board, and one also for each governor in America.¹²¹ Many maps both published and unpublished were received by gift and purchase. Indeed the collection of books and maps which graced the shelves of the Lords of Trade must have been a considerable one and one also which would be of great interest to-day. These books were not only used by the Board itself but were to a certain extent given circulation. It was common for books and maps to be lent to outsiders, a receipt being taken by the secretary¹²² and a description of the missing article sometimes tacked up in the office.¹²³

It does not appear that the Board followed any set rule of procedure, but in the general character of its routine and methods of business there is sufficient uniformity to admit of a fairly accurate description. After a new commission had been received internal affairs of the Board were always considered first. The commission was formally read and the new members, if in town, "took their places at the Board". If not in town at that time a new member

¹¹⁸ In May, 1698, the Board, hearing that Mr. Henry Crisp had books of entry and papers of the Council of Trade of 1662-1663, ordered the secretary to ask him to bring them to the Board. On May 10 he answered that he had never seen any papers of the Council of Trade of 1662, but had heard that some such papers, in the hands of his father-in-law, Mr. Duke, who was secretary of that Council, were burnt in the Temple. He promised to find out about this and also to bring papers of the Royal Fishery of that time of which Duke was secretary. B. T. J., XI. 48, 53. He seems not to have come back, but in June, 1707, the Board received a letter from one Crisp, whom I take to be the same man, offering to sell books and minutes of the Council of Trade, 1660-1668. The Board refused to buy the books without seeing them and there was no result. *Ibid.*, XIX. 284, 296.

¹¹⁹ B. T. J., X. 20.

¹²⁰ *Ibid.*, XLVIII. 73.

¹²¹ *Ibid.*, XLIII. 161; XLIV. 174. *Cal. of Treas. Books and Papers*, 1731-1734, pp. 419, 576.

¹²² E. g., *ibid.*, XXIII. 257.

¹²³ *Ibid.*, LXXXVIII. 29. The Board not only lent but also borrowed. In September, 1697, it was determined to ask Mr. William Bird of Lincoln's Inn for the use of his complete set of Virginia laws. *Ibid.*, X. 261.

would be formally admitted later and his admission noted in the minutes. After the reading of the minutes, rules were frequently adopted similar to those already considered in connection with the clerks, new clerks were appointed if necessary, and in fact anything might be presented and discussed which had to do with the office itself.¹²⁴ Whatever time was left at this session was devoted to the question of colonies or trade that happened to be most pressing. On ordinary days such matters were taken up at the outset. If a petition had been received from merchants or colonists, it was presented by the secretary and considered by the Board. In most cases the Commissioners would not feel prepared to decide on such a petition without further information. They would, therefore, set a day for the discussion and order the secretary to summon persons to be present at the hearing. The subject might be suggested orally instead of by written petition. A large number of matters that came up for discussion were introduced in this way: "the Secretary acquainted the Board" that a certain man was without and wished to be heard. He was called in to state his case, and his information, be it trivial or important, was recorded in the minutes. He was then instructed to "put what he had to offer in writing". Perhaps a day was set for the further consideration of his demands, at which time he not only brought in a written statement, but most likely brought with him several other men to corroborate his assertions. A "hearing", whether the result of a written petition or an oral request, was often a lengthy affair, and involved the testimony of various persons.

If a letter was received from a colonial governor,¹²⁵ together with the voluminous enclosures which always accompanied such letters, this too was presented by the secretary and read. The enclosed papers also might be read through, which in some cases must have been a heroic proceeding. In any case they were disposed of in the proper bundles, and usually a list of titles or descriptions preserved in the minutes. If the papers included copies of laws—and nearly every packet did include some—these were dispatched to the attorney-general or solicitor-general or, after 1718, to the Board's special

¹²⁴ Even the most trivial matters were brought to the attention of the Board. Thus at one time the "necessary woman" presented a bill of £10 for "mops and brooms" which the Board considered too high. B. T. J., XI. 393.

¹²⁵ Such letters, as well as petitions and other papers, might as a rule either be sent directly to the Board by post, or be sent first to the Privy Council or Secretary of State, and transmitted to the Board for consideration. The procedure within the Board itself, *i. e.*, the presentation by the secretary, etc., was the same in either case.

counsellor, to be reported upon from a legal point of view.¹²⁶ In the later years when laws came in great numbers the counsel-at-law frequently attended the Board, and a whole session—or more than one—was given to a single set of acts, each being carefully read and passed upon.¹²⁷ In either case, when the legal report was made, which was sometimes done promptly and at other times after a very long delay,¹²⁸ the Board prepared a representation to the King in Council incorporating the legal advice, and sent it with the laws themselves for the final action of the king. After consideration in the Council, which usually¹²⁹ resulted in confirming the Board's judgment, the laws were returned to the Board with an Order in Council approving or disallowing them as the case might be. This decision was reported to the colonial assembly by the Board of Trade.

When a new governor was appointed for a colony directly under the crown, his commission and instructions were prepared by the Board and approved by the king. In the case of a proprietary governor, the commission was issued by the proprietor, but the instructions were prepared by the Board and imposed through the proprietor on his appointee.

Whatever the business in hand every document¹³⁰ went through three stages. First, the subject was considered and the substance

¹²⁶ Legal advisers were not the only ones consulted. Questions were frequently submitted to the Lords of the Treasury, Lords of the Admiralty, Navy Board, Board of Ordnance, Commissioners of Customs, and other parts of the government on matters pertaining to these respective offices. Messages were constantly being sent back and forth. Indeed the administration was a perfect network of separate but related authorities.

¹²⁷ For an illustration of this see B. T. J., XLV. 94. Comments were written after each law—"no objection", "to lie over", etc.

¹²⁸ Thus on June 22, 1699, the secretary reported that the clerk of the solicitor-general had brought to the Board certain acts of Massachusetts, passed before the establishment of this office, with no report on them. They were ordered sent back to the solicitor for his opinion. B. T. J., XI. 102. The Board also was sometimes responsible for delays. On November 29, 1728, they discussed a New Jersey act for a partition line, etc., and "considering that it had lain by above nine years in this office and no objection had been offered" they ordered a representation for confirming the act. B. T. J., XXXVIII. 265.

¹²⁹ Of course the Board's decisions might be reversed or modified, or a law or report might be returned for reconsideration. I believe, however, that if the total number of laws considered could be brought together, it would be found that in a large majority of cases the Board's decision was affirmed.

¹³⁰ At first there seems to be a distinction between a report and a representation. The latter was the more formal paper addressed to the King in Council, while a report was less formal and was addressed to the Committee of Council. As time went on and the committee came to act in place of the Council, the two words were used more or less interchangeably. Thus on June 29, 1731, the Board signed what in the text is called a representation, but in the margin, a report. B. T. J., XLI. 169. Communications to the Secretary of State were usually called letters.

of the letter or report agreed upon—a process which was sometimes adjourned from day to day and occupied the greater part of several sessions. At last the Board ordered the letter, outlining to the secretary the points which it was to involve. The actual composition fell to the secretary who presented a first draught to the Commissioners for inspection. If satisfactory it was “approved and ordered to be transcribed”. It was then delivered to a clerk to be put into final form, and having been “transcribed fair” was presented to the Board again for signature. Two classes of papers constituted exceptions to this rule: many of the less important letters having been ordered and approved by the Board, were signed by the secretary¹³¹ and sent off without waiting for another meeting; and commissions and instructions for colonial officers, having been transcribed, were sent to the king for his signature.¹³² In many cases a number of days might elapse between the stages of this process, while if there was need of haste they might all be performed in one day.¹³³

Many questions of dispute were argued pro and con, before the Board; and on such occasions both parties attended with “Counsel learned in the law”. The hearing which ensued sometimes lasted for days and had the semblance of a trial, with testimony and legal battles over technicalities which would do credit to a modern court.¹³⁴ In cases of appeal the Board itself had no jurisdiction. When once a decision had been rendered in the colonies, there was no appeal except to the king. The Board however could give such a case a preliminary hearing when asked to do so by a reference from the King in Council.¹³⁵

¹³¹ Or the deputy secretary might sign letters in rare cases. See a letter from Samuel Gellibrand, deputy secretary, to John Hamilton, August 23, 1743. *N. J. Archives*, VI. 153.

¹³² The Board might prepare other papers for the king's signature. Thus in March, 1700, the Board was ordered by the Council to prepare the draught of an Order of Council, whereby the king could approve an agreement between New York and Connecticut over the boundary. *B. T. J.*, XII. 410.

¹³³ This preparing of reports was not the only duty that occupied the clerks in their outer room. Many papers from the colonies were copied and duplicates sent to the Secretary of State, Lords of the Treasury, Commissioners of Customs, and others. Then, too, when a petition was being heard before the Privy Council, the petitioner would frequently ask the Board for copies of papers in its possession bearing on his case, and the request was often granted. It was in such cases as this that the clerks were entitled to fees for extra work.

¹³⁴ On February 9, 1720, the solicitor-general gave an opinion that the Board had power to administer the oath to witnesses. *B. T. J.*, XXX. 80-83. It might be noted also, that the Board seems to have had a seal. On June 9, 1720, this was considered. His Majesty's engraver had presented a plan, and this had been sent to Sunderland, then first Lord of the Treasury, who “thought it very proper”, and then to the king who ordered it engraved. *Ibid.*, p. 191.

¹³⁵ *B. T. J.*, XXXII. 167.

The Board's methods might involve a division of labor. Thus in 1697, considering that it was impossible for all the "voluminous papers sent from the Plantations" to be read at the meetings, it was decided to divide up the field. Philip Meadows was to give special attention to Virginia and Maryland; William Blathwayt, and in his absence, John Locke, was to look after Jamaica, Barbados, and the Leeward Islands; to Abraham Hill fell New England, New York, and Newfoundland; while John Pollexfen was expected to care for the Proprieties, the charter colonies, and trade in general.¹³⁶ All papers relating to these subjects were to be read by the persons to whom they were assigned and the important parts extracted for consideration by the Board. This was simply a refinement of the process of extraction, since that was one duty that the Board performed for the Privy Council. The plan, however, was short-lived. Another method sometimes resorted to was that of having each member draw up an independent report on some subject, and compiling a representation from a comparison of these separate plans. This was done in 1697 in connection with the English and Irish trade, and John Locke's scheme being "pitched upon" was considered in detail.¹³⁷

Though the work of the Board was, as a rule, performed by the seven or eight members appointed by name, these never forgot that an equal number of high state officers belonged in theory to their institution. When a new Secretary of State was appointed, or a Chancellor of the Exchequer, or any other officer included in the Board's list, a letter was at once dispatched to inform him that he was "a member of this Commission".¹³⁸ When a matter of special importance was to be dealt with the ex-officio members were summoned by letter.¹³⁹ They seldom stayed to the end of the meeting. If Secretary Vernon, for instance, and several others came down to the Board, as soon as the important subject was disposed of they withdrew, whereupon the Board ordered a letter to Secretary Vernon, informing him, as Secretary of State, of what had been done at the Board of Trade. These meetings of "extraordinary Board" were usually held at night. Moreover the Commissioners of Trade might be summoned to a joint meeting with the Privy Council or

¹³⁶ The Earls of Bridgewater and Tankerville seem to have escaped this by their titles. John Methuen, the eighth member, was in Portugal and did not return while his name was included in the Commission of Trade. He never took his place at the Board. B. T. J., IX. 348. *Hist. MSS. Comm., Portland*, III. 576.

¹³⁷ B. T. J., X. 207. 214.

¹³⁸ *E. g., ibid.*, XIII. 288.

¹³⁹ *Ibid.*, X. 424; XXIV. 16.

with a committee of Council.¹⁴⁰ At the close of such a conference, they adjourned to their own room and continued the session alone, perhaps to put into effect the decisions of the joint meeting, but always to take some account of them in their minutes. On the other hand the conference might take place at the Plantation Office. At one time a meeting of "Cabinet Council"¹⁴¹ was held at the Board, and again word was received that the Committee of Council had "appointed a meeting at this Board tomorrow".¹⁴²

Under peculiar conditions the Board might devote its sessions to a special purpose. Thus after the treaty of Utrecht many days were given up wholly or in part to the examining of debentures and delivering them to claimants of land in Nevis and St. Christopher. As many as fifty debentures were sometimes delivered in one day, and this must have brought a constant stream of ill-assorted visitors. In 1749-1750, when the settlement of Halifax was being arranged for, the Board of Trade appeared at times more like a business office than a department of government.¹⁴³ Chauncey Townshend, a merchant who took the contract to furnish provisions, was in almost constant attendance. To the Board came men who wanted to furnish clothing, medicines, ploughs, and other commodities for the settlers. It was the Board that appointed physicians and surgeons, ministers and schoolmasters, the man authorized to erect saw-mills, and so on, through the almost endless detail. Here arrangements were made for transportation and the proper ventilation of ships. Here, too, came every settler that wished to sail, giving an account of his circumstances and the size of his family, and receiving from the clerk of reports a certificate admitting him on ship-board. It must have been a motley crowd indeed, which in those days thronged the Cockpit, in answer to the Board's advertisement of advantages published in the *London Gazette*.

Through its supervision over trade the Board came into close touch with the seafaring man from everywhere: the merchant from India, Africa, Muscovy or the Levant, the Newfoundland fisherman, the West Indian slave-trader, the dealer in Canary wines or Irish linen or American staves, all came to the Board to tell their stories. Not only did the Lords of Trade solicit information from the merchants, but the merchants solicited attention from them. If a man

¹⁴⁰ *E. g.*, *ibid.*, XIV. 446; XV. 104; XVII. 8; XXXIX. 263; XLI. 287; LIX. 74, etc. On July 1, 1702, the Board received a letter from Mr. War, with the queen's will that the Board attend her at committee at St. James, to-morrow at 11. *Ibid.*, XV. 115.

¹⁴¹ *E. T. J.*, XI. 68.

¹⁴² *Ibid.*, XXII. 417.

¹⁴³ *Ibid.*, LVII, LVIII, *passim*.

wanted a patent for an invention, or protection for an industry, he had to produce some proof that he was able to make use of it. To the Board of Trade came not only his testimonials—and they came in great numbers—but also his demonstrations. For example, in August, 1696, during a discussion of the linen trade, Mr. Furmin displayed the model of a spinning-wheel of his own invention which could be manipulated “by a girl of ten”.¹⁴⁴ Various were the bundles of merchandise that found their way into the Colonial Office. A box of clothing, sent to New York for the soldiers during Lord Cornbury’s administration, and returned as unfit for use, was brought to the Board and publicly opened.¹⁴⁵ Samples of wool were now and then received, and specimens of copper. Thomas Lowndes was fond of sending certificates of the goodness of his salt,¹⁴⁶ accompanied by boxes of it by way of illustration.¹⁴⁷ John Plowman, who asked for a patent for curing sturgeon in 1720, produced a box of fish at the Board to show the merit of his method.¹⁴⁸

Not only were boxes of merchandise sent to the Board, but the living curiosities that came to town were looked upon as belonging to its province. Thus in 1697 when five Mohawk Indians were brought to Plymouth among French prisoners, the Board was closely concerned in their care. Two of them made a visit to London for the purpose of sight-seeing and these were presented to the Board of Trade.¹⁴⁹ In 1730 an African trader, Bulfinch Lamb, and his black interpreter, Captain Tom, attended the Board and presented a letter from the Emperor of Dahomey.¹⁵⁰

Perhaps the most picturesque scene that ever took place in the council chamber of the Board of Trade was the consummation of a

¹⁴⁴ B. T. J., IX. 51.

¹⁴⁵ *Ibid.*, XVI. 131.

¹⁴⁶ E. g., *ibid.*, LIII. 118.

¹⁴⁷ *Ibid.*, LI., pt. 2, p. 46. Thomas Lowndes is a curious illustration of the sort of peculiar personality with which the Board had at times to deal. He was constantly appearing with a proposal, a request, or a complaint. In 1734 he objected to a land-grant in South Carolina, claiming that he had a conflicting grant. He emphasized this claim by making personal charges against Popple in a stilted paper called “Thomas Lowndes’ protest against the Lords Com^{rs} declared Prepossession in favor of their Secretary”. It is amusing to note the seriousness with which the Board considered this paper and resolved “to have no further correspondence with the said Lowndes”. A few months later he wrote again at length, asserting that Popple had helped to cheat him out of £60. He said that if he did not abhor “disserving his country” he could show a “neighboring nation how to deprive Great Britain of a valuable branch of trade without infringing any treaty”. This epistle was honored with a set of five resolutions by the Board. *Ibid.*, XLIV., *passim*.

¹⁴⁸ B. T. Plant. Gen., L. 5.

¹⁴⁹ B. T. J., X. 66.

¹⁵⁰ *Ibid.*, XLI. 117. *Cal. of Treas. Books and Papers, 1731-1734*, p. 88.

treaty with seven chiefs of the Cherokee Nation in September, 1730.²⁵¹ On the seventh, the chiefs and their interpreter attended, together with Colonel Johnson, the agent for Indian affairs, and Sir William Keith, governor of South Carolina. The members of the Board present that day were Thomas Pelham, Martin Bladen, and James Brudenell. They had taken care to have Sir William Keith prepare beforehand the form of a treaty with its imagery and phraseology modelled after Indian ideals. They had also asked for and obtained from the War Office the attendance of two sergeants and twelve grenadiers. When all were assembled one member of the Board, by means of an interpreter, read to the Indians the treaty, which was in part as follows:

Now the great King of Great Britain bearing love in his heart to the powerful and great nation of the Cherokee Indians, his good friends and allies, His Majesty has empowered us to treat with you here, as if the whole nation of the Cherokees, their old men, young men, wives and children, were all present. And you are to understand the words we speak as the words of the great king, our master, whom you have seen, and we shall understand the words you speak to us as the words of all your people with open and true hearts to the great king. . . . He takes it kindly that the great nation of the Cherokees sent you hither a great way to brighten the chain of friendship between him and them and between your people and his people; that the chain of friendship between him and the Cherokee Indians is like the sun which shines here and also upon the great mountains where they live and equally warms the heart of the Indians, and of the English. That as there are no spots or Blackness on the sun so is there not any Rust or Foulness in this chain and as the great King has fastened one end of it to his own breast he desires you will carry the other end of the chain and fasten it well to the breasts of your nation. . . . And here upon we give four pieces of white cloth to be dyed blue.

The next article regulated trade between the Indians and the people of Carolina. The following articles stipulated, among other things, that the Indians were to keep peace with the English and make war on their enemies, that they were to refuse to trade with any other nation and were to return fugitive slaves. At the end of each article presents were given, including large quantities of ammunition and "six dozen hatchets, twelve dozen spring-knives, four dozen brass kettles and ten dozen belts". Samples of all these articles were stowed away somewhere in the office and were shown to the Indians at the close of the interview. They expressed their approval and promised to give an answer in two days.

The second conference, on the ninth, must have been as imposing as the first. The soldiers attended as before. The Commissioners of Trade, who, this time were Bladen, Brudenell, and Paul Docinique, found themselves addressed as follows:

²⁵¹ B. T. J., XL. 226-237.

We are come hither from a dark, mountainous place, where nothing but darkness is to be found, but are now in a place where there is light. . . . We look upon you as if the great King George was present, and we love you as representing the great King, and shall die in the same way of thinking. . . . We look upon the great King George as the Sun and as our Father and upon ourselves as his Children, for though we are red and you white, yet our hands and hearts are joined together. Having finished this speech the spokesman of the Cherokees walked to the table, and, laying down upon it a bunch of feathers as a symbol of his good-will said:

This is our way of talking, which is the same to us as your letters in the Book are to you; and to you, Beloved Men, we deliver these feathers in token of all we have said and of our agreement to your article.

This incident not only adds a touch of color to the picture, but also illustrates fairly well one phase of the Board's position. A treaty of peace with the Cherokee Nation might vitally affect the happiness and welfare of the colony of Carolina, and was therefore by no means beneath the dignity of the government. But the Privy Council could hardly be expected to exchange scalping-knives for feathers or pronounce a speech like the one above, in Indian terms. Such a duty must be delegated to a subordinate authority, and that authority was the Board of Trade. Indeed the treaty-making power of the Board is here displayed at a low ebb, for it had a part in negotiations of much greater importance. The point to be noted here is that the Board of Trade stood between the King in Council on the one hand, and the outlying portions of the empire on the other. As a result of this position it could, and did many times, give advice and submit policies, but at all times it furnished information. That such information was needed there can be no doubt. In those days reliable knowledge of remote corners of the earth was not easily accessible as it is to-day. Travel was slow. Modern methods of communication were not invented and printed material was expensive and scarce. There was considerable ignorance, even in government circles, about the British possessions. For example, the Commissioners of Customs asked the Board at one time if Campeche was an English plantation¹⁵² and at another time if Annamabore was a "colony, territory or place belonging to His Majesty".¹⁵³ Such questions the Board was expected to answer.

By close connection with colonists and merchants the Board kept its finger, so to speak, on the colonial and commercial pulse, and helped to diagnose disorders for treatment by a higher power. That

¹⁵² B. T. J., XXXVIII. 37.

¹⁵³ *Ibid.*, LXXXIII. 47.

the touch was always acute or the diagnosis always correct, no one can claim. That the contact was of much value can hardly be denied. Dropping the figure, the Board of Trade and Plantations was the one place at which all elements of the ever-growing British Empire could come together on common ground. Here came the British merchant from any corner of the globe to describe his trade or display his wares. Here came the wealthy proprietor to defend his boundaries or the lowliest colonist to settle his dispute; the Indian chief to make peace, or the foreign settler to arrange for his emigration. To this same place all papers regarding the colonies were likely in the end to find their way—books, maps, descriptions, primitive newspapers, pamphlets, anonymous letters, anything that could add a touch to the Englishman's knowledge of the New World across the sea. Here too could come or send, the Commissioners of Customs or of the Treasury, the Navy Board, or Lords of the Admiralty, to gather such information as the Board had been able to collect. Surely nothing could be more useful in theory than just such an information bureau as the Board of Trade. But it is difficult to look constantly at such masses of minute detail and still see things in the large. The Board had the power of a subcommittee coupled with the outward form of a Council of State; perhaps it is not surprising that while the colonies were growing into prominence and colonial questions were becoming acute, it was losing its grasp and was settling down into a more and more formal and expensive institution.

MARY PATTERSON CLARKE.

PRINCE HENRY OF PRUSSIA AND THE REGENCY OF THE UNITED STATES, 1786¹

WITH the name of General von Steuben, whose monument was unveiled with great ceremony in Washington in December, 1910, is connected the memory of a little-known episode in the constitutional history of the United States. Steuben's biographer, the German-American historian, Friedrich Kapp, makes the following statement regarding it:²

When, before the adoption of the present Constitution, in a circle of his friends, the question of the form of the government was discussed and it was not yet decided whether the President was to be vested only with the authority of the highest civil officer or with the more princely privileges of the Dutch stadtholder, one of the party, addressing himself to Steuben, asked whether Prince Henry of Prussia would be willing to accept an invitation, and whether he would make a good President. Steuben answered, "As far as I know the prince he would never think of crossing the ocean to be your master. I wrote to him a good while ago what kind of fellows you are; he would not have the patience to stay three days among you."

This story of Kapp's is based upon oral communication from a certain John W. Mulligan, who, from 1790 until the death of Steuben in 1794, had been the latter's confidential secretary and companion. At the time of the appearance of Kapp's book he counted more than eighty years, but he is described by that author explicitly as an old man of remarkable freshness and as a trustworthy witness.

It is well known that throughout many years a friendly relationship existed between Prince Henry, the brother of Frederick the Great, and Steuben. The latter had served in the Seven Years' War under the prince, had fought at Prague and Rossbach, and had taken part in the campaigns of 1759 and 1760 in the army of Henry, upon whose recommendation, after the close of the war, he had become *Hofmarschall* to the Prince of Hohenzollern-Hechingen. The prince, it is true, had had no part in the decision of Steuben to go to America and offer his services to the colonies fighting for their independence. There occurred, indeed, a long pause in their mutual

¹ Article sent to the REVIEW by Dr. Richard Krauel, honorary professor in the University of Berlin, author of several books relating to Prince Henry of Prussia.

² Kapp, *Life of Steuben* (New York, 1859), p. 584; German edition, *Leben des Amerikanischen Generals F. W. von Steuben* (Berlin, 1858).

relations; it was not till 1785, two years after the Peace of Paris between Great Britain and the United States, that General Steuben again addressed a letter to Prince Henry. In this, invoking their earlier acquaintance, he recommended to him an American, "le *Sieur Littlepage*", who was journeying to Prussia.³ Nothing is known regarding any continuation of the correspondence. Kapp, who went through the sixteen volumes of the Steuben papers preserved by the New York Historical Society, prints only a short and formal answer of the prince to that first letter of the general. No traces are preserved of a political correspondence concerning men and affairs in America, such as one might assume from the statement of Steuben transmitted by Mulligan.

On the other hand, in the remains of Steuben, who, after the end of the War of Independence, lived for a considerable time in New York and participated ardently in the politics of the day, various memoranda are to be found concerning the rights and prerogatives of the president in a republic, as also an historical survey of the duties of the head of the state in ancient and modern times. During that critical period of American history, when on account of the inadequacy of the Articles of Confederation the creation of a better constitution, with a strong and unified executive power, actively occupied men's minds, we may easily imagine that in the political discussions between Steuben and his friends, among whom men like Alexander Hamilton were numbered, such questions were frequently treated. It appears therefore quite possible that, on some such occasion, some one or other threw out casually the suggestion of choosing Prince Henry of Prussia for the highest position in a new federal government, and that Steuben thereupon gave the jocosé answer mentioned.

On this presumption we should be dealing with an anecdote, which to be sure is characteristic of conditions and opinions in the United States at that time, but which could acquire historical significance only if it were proved that, earlier or later, actual steps were undertaken to summon Prince Henry to the head of the American government. While all evidence for this has been lacking up to a recent date, and one was entirely warranted in relegating to the realm of legend any such proposal—even as a passing incident—documents have now been published which compel us to pay greater attention to the Steuben narrative.

³ In this letter, published by Kapp, p. 695, Steuben says: "I flatter myself that my military services in this hemisphere have made me not unworthy to claim the glory of having completed my apprenticeship under a prince who is admired not less in America than in the other parts of the world."

In the sixth volume of the *Life and Correspondence of Rufus King* it is stated that, in a letter to General Jackson, President Monroe expressed the opinion that various persons among the Federalists in the time of Washington had been adherents of monarchy. In connection with this we find printed the following memorandum of King:⁴

10th May 1824. Col. Miller this evening said to me, speaking of Mr. Pr[esident] Monroe, that he had told him that Mr. Gorham, formerly President of Congress, had written a letter to Prince Henry, brother of the great Frederic, desiring him to come to the U. S. to be their king, and that the Prince had declined by informing Mr. Gorham that the Americans had shown so much determination agt. their old King, that they wd. not readily submit to a new one; Mr. Monroe adding that Genl. Armstrong had given him this information and that the papers or correspondence was in the hands of General Hull.

We learn further that in the year 1825, in the course of a debate in the Senate, a hint was dropped that Rufus King had known about the plan to establish a monarchical form of government in the United States under Prince Henry, and that the attempt was made to exploit this charge in the interest of party politics, in order to prevent the appointment of King as minister to London. The matter seemed sufficiently important to prompt President John Quincy Adams as well as the Secretary of State, Henry Clay, to further inquiries, from which, however, no evidence whatsoever was produced of any participation of King in the "Prussian scheme". In a letter to Charles King, the son of Rufus, the President expressed the expectation "that henceforth Prince Henry of Prussia will be suffered to sleep in peace", and Clay conjectured that in the whole affair there was perhaps a confusion with a plan, which came to the surface during the Revolutionary War, in the years 1777 and 1778, to offer to Prince Henry the supreme command over the American troops.⁵

Yet the assertion remained unrefuted that the noted politician, Nathaniel Gorham, who as delegate of the state of Massachusetts together with Rufus King signed the Constitution of the United States, had in the year 1786, when he was president of the Continental Congress, written a letter to Prince Henry with the contents mentioned above. While according to the statement of Steuben

⁴ King, VI. 643. See also *Writings of James Monroe*, V. 343 (letter to Jackson).

⁵ *Memoirs of John Quincy Adams*, VII. 55-56, 63-64; King, VI. 644, 647. According to modern investigations, no such plan ever existed. It was rather the Count de Broglie who was thought of for the position of commander-in-chief. For particulars concerning this, see Wharton, *Revolutionary Diplomatic Correspondence*, I. 391-396.

reported by Kapp, the candidacy of the Prussian prince was suggested only orally, and was put aside with a jest, one would now be driven to the conclusion that a written offer of a royal crown was made, and was declined by Henry. In view of the many considerations which militate against such an assumption, the historian was naturally inclined to hold his judgment in suspense, and wait to see whether the alleged correspondence between Gorham and the prince would be forthcoming.

Into the darkness which has accordingly been lying over this incident, a surprising light has now been shed through a discovery recently made in Germany. In the archives of the royal Prussian house (*Hausarchiv*) in Charlottenburg, where a part of the literary remains of Prince Henry is preserved, there has been found the autograph draft of a letter addressed by the prince to General Steuben, which refers to a proposed change in the constitution of the United States.

The text of this document, composed like all the letters of Henry in the French language, is here published for the first time:⁶

Monsieur de Stuben, général au service des États-Unis de l'Amérique. En Amérique au Hanôvre à 5 milles de New-York.

Monsieur

Votre lettre du 2 du mois 9^{bre} m'est parvenue. Je l'ai reçue avec tout le sentiment de la reconnaissance mêlée de surprise. Vos bonnes intentions sont bien dignes de mon estime, elles me paraissent l'effet d'un zèle que je voudrais reconnaître, tandis que ma surprise est une suite des nouvelles que j'apprends par la lettre d'un de vos amis. J'avoue que je ne saurais croire qu'on pût se résoudre à changer les principes du gouvernement qu'on a établi dans les États-Unis de l'Amérique, mais si la nation entière se trouverait d'accord pour en établir d'autres, et choisirait pour son modèle la constitution d'Angleterre, d'après mon jugement je dois avouer que c'est de toutes les constitutions celle qui me paraît la plus parfaite. On a l'avantage que si, comme dans tous les établissements humains, il se trouve quelque chose de défectueux, qu'on pourrait le corriger et faire de si bonnes lois pour que la balance fût mieux établie entre le souverain et les sujets, sans que ni l'un ni les autres ne pussent jamais empiéter sur les droits alloués respectivement à chacun. Il ne m'est pas possible de vous envoyer un chiffre, vous comprenez qu'il courrait les hasards des lettres et se trouverait entre les mains de ceux qui s'en saisiraient les premiers. Je vais cet automne en France, peut-être y trouverais-je un de vos amis. Les Français sont jusqu'à cette heure les vrais alliés des États-Unis de l'Amérique. Il me paraît que rien de grand pourra solidement se faire chez vous, à moins d'y faire concourir cet allié. Cela suffit, Monsieur, pour vous

⁶ Prince Henry had the habit of Gallicizing the names of his friends, as did Frederick the Great, who, for example, used always to write the name of his great opponent Prince *Cois*, instead of Kaunitz. The somewhat strange French orthography of the Prince has in the letter which follows been altered into accord with the mode of spelling now customary.

faire comprendre que c'est par ce canal que je pouvais recevoir à l'avenir les lettres que vous voudrez m'adresser.

En vous assurant que je désire ardemment de vous donner des preuves de l'estime avec laquelle je suis, Monsieur, votre très affectueux ami.

The writing is undated. A basis for establishing the date of its composition is offered, however, by the remark concerning an intended journey of the prince to France in the autumn. He was twice in France: the first time from August till November, 1784, the second in the winter of 1788-1789. The first journey certainly cannot be meant, because, as we know from Kapp's book, Steuben did not renew his correspondence with the prince until May, 1785. To date the letter in the year 1788 is likewise inadmissible, because the new constitution of the United States had already been determined in 1787. These difficulties are however removed by the fact that Henry, as is known from other information, had intended to make his second visit to France early in the autumn of 1787, but was afterward obliged, through various considerations, to postpone his departure for a year. Accordingly his answer to Steuben's letter must have been written in the first months of 1787. The date may be still more exactly determined, for the paper used bears a mourning border, which points to a bereavement in the royal family. In fact, a sister of Henry, the Princess Amalie of Prussia, had died on March 30, 1787, and as in such cases at that time the usual official period of mourning at the Prussian court lasted fourteen days, the first half of April, 1787, can with tolerable certainty be assumed for the composition of the document before us. For the letter of the second of November mentioned therein, which unfortunately has not yet been found, the year 1786 consequently presents itself—that is, the time when in the United States the call was resounding from all quarters for a new constitution in order to bring to an end the condition of public affairs (almost anarchic, according to a statement of Washington), which had set in after the War of Independence.

As to the contents of the prince's letter, we must first observe that the author, having in mind the possibility that it might fall into strange hands and be read by unbidden eyes, intentionally confines himself to indefinite and general phrases, without indicating clearly the actual pith of the affair concerning which his opinion was desired. Steuben had joined to his letter a writing by one of his American friends and it was the information contained in this document which, as the prince says, astonished him. It is plain from the remarks which follow, that this information must have related to a proposed

fundamental change in the constitution of the United States, in the accomplishment of which the prince will believe only if the whole nation is united in regard to it. The encomium here bestowed on the English constitution, as the most perfect among all, was usual with Prince Henry; he shows himself in this to have been, like many of his contemporaries, influenced by Montesquieu's *Esprit des Loïs*, in which the English parliamentary government, with a monarch at its apex, is represented as the ideal.

But what could impel Steuben and his friends to such a communication with a Prussian prince regarding the internal political affairs of the United States? There must surely have been reasons of a wholly confidential and personal nature, especially as the prince was asked to send over a cipher for the continuation of the correspondence. With what secret have we to do?

The conjecture lies near at hand, that the writing of his American friend transmitted by Steuben is identical with the writing of Nathaniel Gorham of the year 1786, wherein the latter, according to the memorandum of Rufus King, is said to have invited the prince to come to the United States as king, if the American people should decide to give themselves a constitution according to the English pattern. The carefully guarded expressions of the prince contain indeed no indication of the offer of a royal crown, nor do they coincide with the declaration of King, according to which the prince is said to have declined the offer on the ground that the Americans would hardly subject themselves to a new king after they had set themselves against their former monarch with so much determination. An indication of such a thought might perhaps be found in the remark of the prince that he could not believe the American nation would be found ready for a change of their present, *viz.*, republican, principles of government. Much significance also attaches to the advice contained in Henry's letter, that in any reorganization of American constitutional relations, regard should be had to the French, the faithful allies of the United States, without whose co-operation nothing great and permanent could be created there. If one is to venture at all upon the uncertain ground of an interpretation of this political oracle, he may conjecture that Henry was recommending, in the case of a monarchical restoration in the United States, the choice of a French candidate for the throne or at least of one agreeable to France, in order to ensure thereby the continuance of the Franco-American alliance. However fantastical such a combination may seem to us to-day, yet we must not overlook the fact that the American statesmen of that time had

constantly before their eyes the danger of new military complications with European powers, and that this reason was of great weight for the ultimate creation of a unified federal authority with comprehensive military and political powers.

Whatever the opinion may have been which Prince Henry wished to express in his reply to Steuben, and however the proposals may have read which came from Gorham or from those of like opinion with him, we must assume as certain that the correspondence lying before us was not continued. Even before the letter of the prince could have arrived in America, which under the conditions of intercourse at that time must have been nine or ten weeks after its dispatch, the Convention which was to determine the future constitution of the United States had on May 25, 1787, assembled in Philadelphia. No voice among its members was raised in favor of a monarchy. Alexander Hamilton indeed declared there that he looked upon the English constitution, in spite of all the corruption in the individual branches of the administration, as the most perfect pattern of government ever devised by human reason; but he immediately added that the mind of the American people was so thoroughly republican that the idea of introducing monarchy would be an idle dream—words which correspond exactly with the judgment of the Prussian prince in his correspondence with Steuben. It is well known that later, when the Convention had already decided for the title "President", Hamilton made a further attempt to procure a princely status for the first officer of the republic, by proposing to appoint him for life, "subject to removal by impeachment", whereby the presidency would, except for the exclusion of the hereditary principle, approximate to the office of stadtholder as maintained in the Republic of the United Netherlands. The proposition was rejected as undemocratic; we might perhaps designate it as the last echo of a state of mind in which intelligent and patriotic statesmen, in order to rescue the young American commonwealth from a complete collapse, devised the expedient of a return to monarchical institutions.

A fugitive trace of the idea, thus born in the stress of the moment, we recognize in the letter of Prince Henry which lies before us. While one might have attributed to the story told by Steuben merely the value of an anecdote without historical significance, and while the more definite statement of Rufus King encountered many doubts and left open the possibility of a misunderstanding or of the formation of a later legend, we have now the first unquestionable evidence that the supporters of a fundamental change in the constitution of the United States actually entered into correspondence

with Prince Henry. Steuben, as an acquaintance of the prince, played the part of go-between; perhaps it was he who turned the attention of his American friends, in their search for a suitable ruler for the United States, to this brother of Frederick the Great. In any case, Steuben knew more about the affair than he later saw fit to communicate to his secretary Mulligan. That the American writer of the letter which so astonished the prince was Nathaniel Gorham and that Gorham acted in a common understanding with his political party associates, can scarcely be doubted longer. The evidence furnished by Rufus King is supported by the discovery made in the Charlottenburg archives, although the latter does not quite afford a strict proof in the legal sense. In order to have full light thrown over this at least interesting episode in the early history of the constitution of the United States, it would be very gratifying if the text of Gorham's letter to Prince Henry, which, according to King's statement in 1824, was in the possession of General Hull in Massachusetts, could be rediscovered and made public.

RICHARD KRAUEL.

THE DRED SCOTT DECISION, IN THE LIGHT OF CONTEMPORARY LEGAL DOCTRINES¹

HAVING had occasion recently to renew my acquaintance with the case of *Scott v. Sandford*,² I have become persuaded that the usual historical verdict with reference to it needs revision in three important particulars: first, as to the legal value of the pronouncement in that case of unconstitutionality with reference to the Missouri Compromise; secondly, as to the basis of that pronouncement; thirdly, as to the nature of the issue between Chief Justice Taney and Justice Curtis upon the question of citizenship that was raised by Dred Scott's attempt to sue in the federal courts.³

The main facts leading up to and attending this famous litigation may be summarized as follows:⁴ Dred Scott, a slave belonging to an army officer named Emerson, was taken by his master from the home state, Missouri, first into the free state of Illinois and thence into that portion of the national territory from which, by the eighth section of the Missouri Compromise, slavery was "forever" excluded. Here master and slave remained two years before returning to Missouri, the latter in the meantime having married with his master's consent. In 1852 Dred sued his master for freedom in one of the lower state courts and won the action, but upon appeal the decision was reversed by the supreme court of the state, upon the ground that Dred's status at home was fixed by state law regardless of what it was abroad—a decision which plainly ran counter to the whole trend of decision by the same court for the previous generation. Thereupon the case was remanded to the inferior court for retrial but Dred, having in the meantime upon the death of Emerson passed by bequest to Sandford, a citizen of New York, now decided to bring a totally new action in the United States circuit court for the Missouri district, under section 11 of the Act of 1789. In order to bring this action Dred had of course to aver his citizenship of Missouri, which averment was traversed by his adversary in what is known as a plea in abatement, which denied the jurisdiction of

¹ In substance this paper was read before the American Historical Association at its last annual meeting, December 29, 1910.

² 19 Howard 393-633 (cited below as "Rep").

³ See James Ford Rhodes, *History of the United States*, II. 251 *et seq.*; James Schouler, *History of the United States*, V. 377 *et seq.*; Nicolay and Hay, *Abraham Lincoln*, II., ch. 4; Theodore Clarke Smith, *Parties and Slavery*, ch. 14.

⁴ The agreed statement of facts is to be found, Rep. 397-399.

the court upon the ground that Dred was the descendant of African slaves and was born in slavery. The plea in abatement the circuit court overruled, but then proceeded to find the law on the merits of the case for the defendant Sandford; and from this decision Dred appealed to the United States Supreme Court.

Scott v. Sandford was first argued before the Supreme Court in the December term of 1855. From a letter of Justice Curtis we learn that in the view the court took of the case, it would find it unnecessary to canvass the question of the constitutionality of the Missouri Compromise.⁵ And indeed it was evidently of a mind to evade even the question of jurisdiction, as raised by the plea in abatement, had it not been for the fact, as it presently transpired, that Justice McLean, a candidate for the Republican presidential nomination, had determined to make political capital of the controversy by writing a dissenting opinion, reviewing at length the history of African slavery in the United States from the Free Soil point of view. McLean's intention naturally produced some uneasiness among his brethren and particularly such as came from slave states, three of whom now began demanding reargument of the questions raised in connection with the plea in abatement.⁶ This demand being acceded to, the case came on for reargument in the December term of 1856, that is, after the presidential election was over. Yet even now it was originally the purpose of the court to confine its attention to the question of law raised by the circuit court's decision, which rested upon the same ground as the state supreme court's earlier decision, and Justice Nelson was commissioned to write an opinion sustaining the circuit court.⁷ Since the defeat of Fremont, however, and Buchanan's election, the advantage of position lay all with the pro-slavery membership of the court. Some of the latter contingent, therefore, but chiefly Justice Wayne of Georgia, who had on another occasion displayed a rather naïve view of the judicial function, now began bringing forward the notion that, as expressed in Wayne's very frank opinion, "the peace

⁵ Curtis to Ticknor, April 8, 1856. George Ticknor Curtis, *Life of Benjamin Robbins Curtis*, I. 80.

⁶ Ashley of Ohio's positive testimony on the basis of report current at the time Scott v. Sandford was pending, supplies the explanation needed of the demand for reargument, since the final disposition of the case would be precisely the same whether the circuit court were held to have erred in taking jurisdiction or, having rightfully taken jurisdiction, to have properly decided the case on its merits. *Congressional Globe*, 40th Cong., 3d sess., App., p. 211. See also McLean's opinion, Rep. 529-564, and Curtis's animadversions on the same, *ibid.*, 620, 620.

⁷ Rep. 529-564. The fact that Nelson was commissioned to write an opinion sustaining the lower court again shows that intrinsically the question of the lower court's jurisdiction was regarded as unimportant.

and harmony of the country required the settlement . . . by judicial decision" of the "constitutional principles" involved in the case.⁸ Yielding at last to this pressure, Chief Justice Taney consented to prepare "the opinion of the Court", as it is labelled, covering all issues that had been raised in argument before the court in support of the defendant's contentions. What was to be the scope of the court's decision was known to Alexander H. Stephens, as early as January, 1857,⁹ and undoubtedly to Buchanan when he delivered his inaugural address. And to know what scope the decision was to take was equivalent practically to knowing its tenor, since it was extremely improbable that a majority of the court would have allowed so broad a range to inquiry had they not been substantially assured beforehand of its outcome. When, therefore, Buchanan in his inaugural address bespoke the country's acquiescence in the verdict of the court, "whatever it might be", his very solicitude betrayed that, as Lincoln inferred, he was talking from the card.

For obvious reasons, hostile criticism of the Dred Scott decision has always found its principal target in the Chief Justice's opinion, and the gravamen of such criticism has always been that the great part of it, particularly the portion dealing with the Missouri Compromise, was *obiter dictum*. I do not, however, concur with this criticism, for reasons which I shall now endeavor to make plain. And in the first place, it ought to be clearly apprehended what difficulty attaches to a charge of this sort against a deliberate utterance of the Supreme Court of the United States, evidently intended by it to have the force and operation of law, and for the reason that the ultimate test of what *is* law for the United States is, and at the time of the Dred Scott decision was, the opinion of the Supreme Court. On the other hand, the Supreme Court is not theoretically an irresponsible body: by the very theory that makes it final judge of the laws and the Constitution it is subject to these; as by virtue of its character as court it is subject to the *lex curiae*, that is to say, is bound to make consistent application of the results of its own reasoning and to honor the precedents of its own creation. What the charge of *obiter dictum* amounts to therefore is this: first, that the action of the Chief Justice in passing upon the constitutionality of the eighth section of the Missouri Compromise was illogical, as being inconsistent with the earlier part of his opinion, the purport of which, it is alleged, was to remove from the court's consideration the record of the case in the lower court and, with it.

⁸ Rep. 454-455.

⁹ See Rhodes, p. 253, and references.

any basis for a pronouncement upon the constitutional question; and secondly, that the action of the Chief Justice was also in disregard of precedent, which, it is contended, exacted that the court should not pass upon issues other than those the decision of which was strictly necessary to the determination of the case before it, and particularly that it should not unnecessarily pronounce a legislative enactment unconstitutional. Let us consider these two points in order.

As already indicated, the primary question before the court upon the reargument was what disposition to make of the plea in abatement which the circuit court had overruled, thereby taking jurisdiction of the case,¹⁰ and upon this point a majority of the court, including both Chief Justice Taney and Justice Curtis, ruled decisively both that the plea in abatement was before it and that the decision of the circuit court as to its jurisdiction was subject to review by the Supreme Court.¹¹ Evidently the charge of illogicality lies against only those judges of the above mentioned majority who, after overruling the plea in abatement and so pronouncing against the jurisdiction of the circuit court upon the grounds therein set forth, passed to consider the further record of the case, by which the constitutional issue was raised. But was such proceeding necessarily illogical? Upon this point obviously the pertinent thing is to consider Taney's own theory of what he was doing, which he states in substantially the following language at the conclusion of his argument on the question of the plaintiff's citizenship: but waiving, he says, the question as to whether the plea in abatement is before the court on the writ of error, yet the question of jurisdiction still remains on the face of the bill of exceptions taken by the plaintiff in which he admits that he was born a slave but contends that he has since become free; for if he has not become free then certainly he cannot sue as a citizen.¹² In other words, the Chief Justice's theory was, not that he was canvassing the case on its merits, which he could have done with propriety only had he chosen to ignore the question of jurisdiction, but that he was fortifying his decision upon this matter of jurisdiction by reviewing the issues

¹⁰ *Supreme Court Reports, Lawyer's Edition*, bk. xv., 694, 697.

¹¹ This majority consisted of the Chief Justice and Justices Wayne, Daniel, Campbell, and Curtis. Grier considered it sufficient to canvass the question of the lower court's jurisdiction on the basis of the facts stated in the bill of exceptions. Nelson did not consider the question of jurisdiction. Catron and McLean did not deem the question of jurisdiction to be before the court.

¹² Rep. 427. Note also the Chief Justice's statement of the issue at the opening of his opinion, Rep. 400.

raised in the bill of exceptions, *as well as* those raised by the plea in abatement; in other words that he was canvassing the question of jurisdiction afresh.

The matter of the validity of the Chief Justice's mode of proceeding then comes down to this question: Is it allowable for a court to base a decision upon more than one ground and if it does so, does the auxiliary part of the decision become *obiter dictum*? Upon the general question of what constitutes *dictum* we find the writer in the *American and English Encyclopedia of Law* indicating the existence of two views among common-law courts. By one of these views none of a judicial opinion is decision save only such part as was necessary to the determination of the rights of the parties to the action. By the other view, on the contrary, all of an opinion is decision which represents a deliberate application of the judicial mind to questions legitimately raised in argument.¹³ On the precise question above stated the writer speaks as follows:

Where the record presents two or more points, any one of which, if sustained, would determine the case, and the court decides them all, the decision upon any one of the points cannot be regarded as *obiter*. Nor can it be said that a case is not authority on a point because, though that point was properly presented and decided in the regular course of the consideration of the case, another point was found in the end which disposed of the whole matter. The decision on such a question is as much a part of the judgment of the court as is that on any other of the matters on which the case as a whole depends. The fact that the decision might have been placed upon a different ground existing in the case does not render a question expressly decided by the Court a *dictum*.¹⁴

True, this exact statement of the matter is of comparatively recent date, but it is supported by judicial utterances some of which antedate the Dred Scott decision and others of which, conspicuously one by Chief Justice Waite in *Railroad Companies v. Schutte*, plainly purport to set forth long standing and settled doctrine.¹⁵ It is apparent moreover that this is the only doctrine tenable, for, were the opposite view taken, the law would remain unsettled precisely in proportion as the court presumed to settle it, since with a decision resting upon more than a single ground it would be always open to those so disposed to challenge the validity of all but one of such

¹³ *Encyc.* (2d ed.), "Dictum", IX. 452-453; "Stare Decisis", XXVI. 168-169. Cf. *Carroll v. Carroll's Lessee*, 16 How. 275, 287, and *Alexander v. Worthington*, 5 Md. 471, 487.

¹⁴ *Ibid.*, 171. I am indebted for this reference to Elbert W. R. Ewing's *Legal and Historical Status of the Dred Scott Decision* (Washington, 1909). I may add that this is the sum total of my indebtedness to the work mentioned.

¹⁵ 103 U. S. 118, cited with approval in *Union Pacific R. R. Co. v. Mason City etc.*, R. R. Co., 199 U. S. 160.

grounds, and that one selected at whim. Thus granting—what indeed is evident—that Taney was under no necessity of canvassing both the question of Dred's citizenship and that of his servitude, yet since he did canvass both questions with equal deliberation, who is to say which part of his opinion was decision and which *obiter*?

However, it is urged that an exception must be made in the case of constitutional questions, which should be left undecided if possible. To quote Justice Curtis's protest against the Chief Justice's opinion: "a great question of constitutional law, deeply affecting the peace and welfare of the country, is not . . . a fit subject to be thus reached"; such is the argument.¹⁶ So far however is this alleged exception from being justified by the history of the matter, that it would be far nearer the truth to say that, if constitutional cases comprise a class by themselves in this reference, they warrant an exceptionally broad view of the legal value of judicial opinion. Let us consider for example some of Chief Justice Marshall's decisions in this connection, but particularly his decision in *Cohens v. Virginia*.¹⁷

In that case the plaintiff in error had been indicted and subjected to trial and penalty under a Virginia statute for selling tickets for a lottery which Congress had chartered for the District of Columbia. As in the Dred Scott case, the primary question before the court was one of jurisdiction, though in this case the Supreme Court's own jurisdiction, which counsel for Virginia denied upon four grounds: first, that a state was defendant, contrary to the Eleventh Amendment; secondly, that no writ of error lay from a state court to the Supreme Court; thirdly, that if the act in question was meant to extend to Virginia it was unconstitutional; and fourthly, that it was not meant so to extend. Ultimately Marshall dismissed the case for want of jurisdiction upon the last ground, which involves no constitutional question, but before he did so he not only invited argument upon the other points, but in the greatest of his opinions he met and refuted every argument advanced by counsel for Virginia thereupon. Yet by the test set for Taney's opinion in the Dred Scott case, all the valuable part of this great decision is *obiter dictum*, and that of the most gratuitous kind, since its purport was not in support of but counter to the final disposition of the immediate issue before the court.¹⁸ And in truth *Cohens v. Virginia* was

¹⁶ Rep. 590.

¹⁷ 6 Wheat. 264.

¹⁸ The portion of Marshall's opinion in *Cohens v. Virginia* which comprises the leading decision on the point with which it deals runs as follows: "It is, then, the opinion of the court, that the defendant who removes a judgment rendered against him by a state court into this court, for the purpose of re-

criticized by Jefferson¹⁹ upon grounds quite similar to those taken by the critics of Chief Justice Taney's opinion in *Scott v. Sandford*, notwithstanding which, however, it has always been regarded as good law in all its parts and indeed was so treated and enforced, once and again, by the court over which Taney himself presided.²⁰

The fact of the matter is that the critics of Chief Justice Taney take their view of the proper scope of judicial decision from the common law rather than from American constitutional law. Altogether, the only feasible definition, historically, of *obiter dictum* in the field of American constitutional law would seem to be, a more or less casual utterance by a court or members thereof upon some point not deemed by the court itself to be strictly before it and not necessary to decide, as preliminary to the determination of the controversy before it. Such an utterance, for example, is that of Chief Justice Marshall at the close of his decision in *Brown v. Maryland*, where he says that he "supposes" that the principles he has just applied to a case arising in connection with foreign commerce would also apply in a case of commerce among the states.²¹ This pronouncement is obviously an aside upon a point not argued before the court and it is quite justifiably ignored by Chief Justice Taney in his opinion in the License cases,²² whereas the rest of Marshall's opinion in *Brown v. Maryland* Taney treats as law, though the entire second portion of it, dealing with the commerce clause, was unnecessary, as the immediate issue before the court had already been disposed of under Article I., Section 10 of the Constitution.

Chief Justice Taney had therefore, it appears, an undeniable right to canvass the question of Scott's servitude in support of his decision that Scott was not a citizen of the United States, and he had the same right to canvass the question of the constitutionality of the Missouri Compromise in support of his decision that Scott was a slave. To all these points his attention was invited by arguments of counsel and to all of them he might cast it with propriety by a well-established view of the scope of judicial inquiry in such

examining the question whether that judgment be in violation of the constitution or laws of the United States, does not commence or prosecute a suit against the State". By the test set by the critics of C. J. Taney's opinion in *Scott v. Sandford*, however, the above quoted utterance is not decision; for its author continues thus: "... But should we in this be mistaken, the error does not affect the case now before the court", the reason being that since Cohens was not a citizen of "another State", the Eleventh Amendment did not apply.

¹⁹ *Writings* (Memorial Edition), XV. 297-298, 326, 389, 421, 444-452.

²⁰ *R. I. v. Mass.*, 12 Pet. 744 (1838), and *Prigg v. Pa.*, 16 Pet. 539 (1842). See also Taney's own opinion in *United States v. Booth*, 21 How. 506 (1858).

²¹ 12 Wheat. 419, 449.

²² 5 How. 504, 574-578; see also J. McLean, *ibid.*, 594.

cases. If then the decision rendered by six of the nine judges on the bench, that the Missouri Compromise was unconstitutional, is to be stigmatized as unwarrantable, which is all that the court of history can do with it, it is not by pronouncing it to have been *obiter dictum* but by discrediting, from the standpoint of the history of constitutional law antedating the decision, the principles upon which it was rested.

Turning then to consider the constitutional decision directly, we find our task simplified to this extent: that the entire court, majority and dissenting minority alike, are in unanimous agreement upon the proposition that, whatever the source of its power, whether Article IV., Section 3 of the Constitution or the right to acquire territory and therefore to govern it, Congress in governing territory is bound by the Constitution—a proposition to which the court has always adhered, though there has been latterly some alteration of opinion as to what provisions of the Constitution control Congress in this connection. And this was the question that troubled the majority in the Dred Scott case. The Missouri Compromise was unconstitutional, that was certain; but just why—that was immensely uncertain. The extremest position of all was taken by Justice Campbell, whose doctrine was that the only power Congress had in the territories, in addition to its powers as the legislature of the United States, was the power to make rules and regulations of a conservatory character “for the preservation of the public domain, and its preparation for sale or disposition”. From this it was held to follow that whatever the Constitution and laws of the states “validly determine to be property, it is the duty of the Federal Government, through the domain of jurisdiction merely Federal, to recognise to be property”.²³ This of course is the extremest Calhounism, from which it came later to be deduced, with perfect logic, that it was the duty of the federal government, not only to admit slavery into the territory, but to protect it there. But, as Benton showed in his famous *Examination of the Dred Scott Case*, this particular phase of Calhounism was, at the date of the Dred Scott decision, less than ten years old.

And it is at this point that we come upon the second error I had in mind at the outset of this paper, an error traceable to Benton, but ever since repeated by historians of the Dred Scott decision, namely, the assumption that that decision rested exclusively upon Calhounist premises. Nothing however could be farther from the fact, for though Justice Daniel of Virginia seems to go almost as

²³ Rep. 509-517; the quotations are from pp. 514 and 515.

far as Campbell in representing the power of Congress in governing the territories as a mere proprietary power of supervision, yet even he rejects Campbell's notion that Congress was the mere trustee of the states; while Justices Catron of Tennessee, an old Jacksonian Democrat, Grier of Pennsylvania and of similar traditions, Wayne, a Southern Whig, and the Chief Justice himself, could by no means consent thus to read the Constitution through the spectacles of the prophet of nullification. Upon what grounds then were these judges to rest their pronouncement of the unconstitutionality of the Missouri Compromise? Let us first take up the case of Catron and then turn to that of the Chief Justice, who spoke upon this point for himself, for Grier and Wayne, and to a great extent, for Daniel.

Catron paid his respects to the Calhounist point of view in the following words: "It is due to myself to say, that it is asking much of a judge, who has for nearly twenty years been exercising jurisdiction, from the western Missouri line to the Rocky Mountains, and, on this understanding of the Constitution", namely that Congress has power really to govern the territories, "inflicting the extreme penalty of death for crimes committed where the direct legislation of Congress was the only rule, to agree that he had been all the while acting in mistake, and as an usurper." Setting out from this extremely personal point of view, Catron found that Congress possessed *sovereignty* over its territory, limited however in this case by the treaty with France, with which the anti-slavery article of the Missouri Compromise was, he held, incompatible, and always by the spirit of the Constitution, which stipulates for the citizens of each state the rights and privileges of citizens of the several states and demands that the citizens of all states be treated alike in the national territory. It is true that Catron draws the idea of the equality of the states to his support, but his concern is plainly for the rights of citizenship rather than the prerogatives of statehood.²⁴ And in this connection it is worth recalling that almost exactly thirty years before, as Chief Justice of Tennessee, Catron had rendered the decision in *Van Zant v. Waddell*,²⁵ which is the first decision in which the concept of class legislation is distinctly formulated as a constitutional limitation, and which is a landmark in the history of American constitutional law.

But the most strongly nationalistic, or more precisely *federalistic*, of all the opinions upon the constitutional question was that of the Chief Justice, who again followed Marshall in tracing the power

²⁴ Rep. 522-527.

²⁵ 2 Yerg (Tenn.) 260.

of Congress to govern territories to its power to acquire them. Upon what ground then was he to rest his condemnation of the Missouri Compromise? In one or two passages Taney speaks of Congress as "trustee", but it is as trustee of the "whole *people* of the Union" and for *all* its powers. The limitations upon the power of Congress must therefore, in this case as in all cases, be sought in the Constitution, "from which it derives its own existence, and by virtue of which alone it continues to exist and act as a Government and sovereignty".²⁶ From this it follows that when Congress enters a territory of the United States it cannot "put off its character and assume discretionary or despotic powers which the Constitution had denied to it": it is still bound by the Constitution. Therefore Congress can make no law for the territories with respect to establishing a religion, nor deny trial by jury therein, nor compel anyone to be a witness against himself in a criminal proceeding. "And", the Chief Justice continues, "the rights of private property have been guarded with equal care." They "are united with the rights of person, and placed on the same ground by the fifth amendment to the Constitution, which provides that no person shall be deprived of life, liberty, and property, without due process of law. And an act of Congress which deprives a citizen of the United States of his liberty or property, merely because he came himself or brought his property into a particular Territory of the United States, and who had committed no offence against the laws, could hardly be dignified with the name of due process of law."²⁷

Such then is the basis of the Chief Justice's decision: the "due process of law" clause of the Fifth Amendment. The striking feature of this objection to the prohibitory clause of the Missouri Compromise is its baffling irrelevancy. It is true that the Supreme Court had in 1855, in *Murray v. the Hoboken Company*,²⁸ laid down the doctrine that all legal process was not necessarily due process, that in providing procedure for the enforcement of its laws Congress was limited in its choice to the methods in vogue at the time of the adoption of the Constitution. But in the Dred Scott case no matter of procedure was involved, the antagonists of the law in question being opposed not to the *method* of its enforcement, but to its enforcement at all; not to the mode of its operation, but to its substance. If lack of due process therefore was chargeable in such a case, it was chargeable in the case of any enactment, penal or of other sort, no matter by what machinery it was designed to be car-

²⁶ Rep. 448-449. The italics are mine.

²⁷ *Ibid.*, p. 450.

²⁸ 18 How. 272.

ried out, if the general result of its enforcement would be to diminish someone's liberty or property for no fault of his own, save as determined by the law in question. In a word, legislation would be practically at an end.

Naturally, the amazing character of this doctrine did not escape the attention of Justice Curtis, who had been spokesman for the court in the *Hoboken* case. If the Missouri Compromise did indeed comprise one of a class of enactments proscribed by the Fifth Amendment, what then, Justice Curtis inquired, was to be said of the Ordinance of 1787, which Virginia and other states had ratified notwithstanding the presence of similar clauses in their constitutions? What again was to be said upon that hypothesis of the act of Virginia herself, passed in 1778, which prohibited the further importation of slaves? What was to be said of numerous decisions in which this and analogous laws had been upheld and enforced by the courts of Maryland and Virginia, against their own citizens who had purchased slaves abroad, and that without anyone's thinking to question the validity of such laws upon the ground that they were not law of the land or due process of law? What was to be said of the act of Congress of 1808 prohibiting the slave trade and the assumption of the Constitution that Congress would have that power without its being specifically bestowed, but simply as an item of its power to regulate commerce? What finally, if the scope of congressional authority to legislate was thus limited by the Fifth Amendment, was to be said of the Embargo Act, which had borne with peculiar severity upon the people of the New England States, but the constitutionality of which had been recently asserted by the court in argument in the roundest terms.²⁹

The plain implication of this apparently crushing counter-argument of Justice Curtis is that the Chief Justice was, at this point, making up his constitutional law out of whole cloth. Was this implication quite fair? The answer is that it was not, as a brief examination of the legal history involved will show.³⁰ What Taney was attempting to do in the section of his opinion above quoted was to engraft the doctrine of "vested rights" upon the national constitution as a limitation upon national power by casting round it the "due process of law" clause of the Fifth Amendment. But neither the doctrine of "vested rights" nor yet such use of "due process of law" was novel, and indeed the former was, in 1857, compara-

²⁹ Rep. 626-627; the Virginia cases cited are 5 Call 425 and 1 Leigh 172, and the Maryland case is 5 Harr. and J. 107. He might have added 2 Munf. (Va.) 393.

³⁰ See the writer on "The Doctrine of Due Process of Law before the Civil War", *Harvard Law Review*, XXIV. 366 *et seq.*; 460 *et seq.*

tively ancient. The doctrine of "vested rights" signified this: that property rights were sacred by the law of nature and the social compact, that any legislative enactment affecting such rights was always to be judged of from the point of view of their operation upon such rights, and that when an enactment affected such rights detrimentally without making compensation to the owner, it was to be viewed as inflicting upon such owner a penalty *ex post facto* and therefore as void. The foundation for the doctrine of "vested rights" was laid in 1795 by Justice Patterson in his charge to the jury in *Van Horn v. Dorrance*,³¹ but more securely still by Justice Chase in his much cited dictum in *Calder v. Bull*,³² in which he propounds what may be regarded as the leavening principle of American constitutional law, the doctrine, namely, that entirely independent of the written Constitution, legislative power is limited by its own nature, the principles of republican government, natural law, and social compact.

Reposing upon this foundation, as well as upon the principle of the separation of the powers of government, the doctrine of "vested rights" soon found wide acceptance, being infused by Marshall in 1810 into the "obligation of contracts" clause of the national Constitution³³ and receiving from Chancellor Kent in 1811 its classic formulation in *Dash v. Van Kleeck*.³⁴ Presently, however, principles hostile to the doctrine began to appear, particularly the doctrine of "popular sovereignty", which insisted in the first place upon tracing the sanctity of the written Constitution, not to a supposed relation to fundamental rights but to its character as the immediate enactment of the sovereign people, and in the second place upon the natural predominance of the legislature in government as comprising the immediate representatives of the people. From 1830 on, the doctrine of the "police power", that is, the power of the legislature to regulate all rights in the furtherance of its own view of the public interest, began to supersede the doctrine of "vested rights" as the controlling maxim of American constitutional law, receiving indeed from Taney himself, in his opinions in the *Charles River Bridge* case and *License* cases, a distinct impetus.³⁵ In this situation obviously the problem before those judges who wished to adhere to the older doctrine was to discover some phrase of the written Constitution capable of subserving the purposes of the doctrine of "vested rights". The dis-

³¹ 2 Dall. 309 (1795).

³² 3 Dall. 386 (1798).

³³ 6 Cr. 87, *Fletcher v. Peck*.

³⁴ 7 Johns. (N. Y.) 498.

³⁵ 11 Pet. 420 (1837); 5 How. 504 (1846).

covery was made by the North Carolina supreme court, in 1832, in the case of *Hoke v. Henderson*,³⁶ in which the use made of the phrase "law of the land" of the North Carolina constitution affords an exact counterpart to Taney's use of "due process of law" in *Scott v. Sandford*. From North Carolina the notion spread to New York, where it was utilized by Justice Bronson in 1843 in *Taylor v. Porter*.³⁷ The immediate source of Taney's inspiration, however, was probably—though there is no hint of the matter in the briefs filed by Sandford's attorneys—the decision of the New York court of appeals in the case of *Wynehamer v. the People*, in which, in the interval between the first and second arguments of the *Dred Scott* case, an anti-liquor law was pronounced unconstitutional under the "due process of law" clause of the New York constitution, as comprising, with reference to existing stocks of liquor, an act of destruction which it was not within the power of government to perform, "even by the forms which belong to due process of law".³⁸

So much by way of justification of Chief Justice Taney. There is however another side to the matter. In the first place, as above hinted, Taney was performing in *Scott v. Sandford* what for him was a distinct *volte face* toward the doctrine of "vested rights". In the second place, he was availing himself of what at the time was decidedly the weaker tradition of the law. For not only had the doctrine of "vested rights", in 1857, generally gone by the board in its original form, but save in North Carolina and New York it had, in its new disguise, practically no hold anywhere. Essentially contemporaneous with the *Wynehamer* case were similar cases in an even dozen states. In all save one the law was upheld, and in that case it was overturned upon the basis of the doctrine of natural rights.³⁹ Furthermore, in only one court, that of Rhode Island, and that subsequently to the New York decision, was the "due process of law" or "law of the land" clause adduced as a limitation upon substantive legislation. Said the Rhode Island court on that occasion: "It is obvious that the objection confounds the power of the assembly to create and define an offense, with the rights of the accused to trial by jury and due process of law . . . before he can be convicted of it."⁴⁰

³⁶ 2 Dev. 1, preceded by *Univ. of N. C. v. Foy*, 2 Hayw. 310 (1807). See also Webster's argument in the *Dartmouth College* case, 4 Wheat. 518, 575 *et seq.*

³⁷ 4 Hill (N. Y.) 140, preceded by the matter of *John and Cherry Sts.*, 19 Wend. 676, and followed by *White v. White*, 5 Barb. 474, *Powers v. Bergen*, 6 N. Y. 358, and *Westervelt v. Gregg*, 12 N. Y. 209 (1854).

³⁸ 13 N. Y. 378, 420 (through Justice A. S. Johnson).

³⁹ *Harv. Law Rev.*, XXIV. 471-474.

⁴⁰ *St. v. Keeran*, 5 R. I. 497; see also 5 R. I. 185, and 3 R. I. 64 and 289.

This utterance may be taken, without hesitation, as decisive of the established interpretation of the "due process of law" clause in 1857. But all this is upon the assumption of a parity between Congress and the state legislature with reference to the doctrine of vested rights. In the third place, however, no such parity could, upon fundamental principles, have been justifiably conceived to exist at the date of *Scott v. Sandford*. The doctrine of "vested rights" rested upon the hypothesis of the recognition by the common law of certain fundamental rights which the people of the respective states possessed from the outset and which they could not be supposed to have parted with by mere implication in establishing the legislative branch of the government.⁴¹ But these considerations were entirely irrelevant to the case of the legislative powers of Congress for two distinct, but equally powerful, reasons. In the first place it was a fundamental maxim in Taney's day that there was no such thing as a common law of the United States.⁴² In the second place the power of Congress is not a loosely granted general power of legislation but a group of specifically granted powers. While, therefore, the federal courts from the very outset—though very sparingly in Taney's day—in cases which fell to their jurisdiction because of the character of the parties involved and in which therefore state law was to be enforced, repeatedly passed upon the validity of state laws under "general principles of constitutional law",⁴³ the United States was always conceived strictly as a government of delegated powers, neither deriving competence from, nor yet finding limitation in, principles external to the Constitution. It was therefore always a fundamental principle of constitutional construction with Marshall that within the sphere of its delegated powers the national government was sovereign, not merely as against the rights of the states but also against the rights of individuals, a point of view which he sets forth with great explicitness in his opinion in *Gibbons v. Ogden*⁴⁴ with reference to the commercial power of Congress and which Justice Daniel reiterates, so far as the rights of persons are concerned, as late as 1850 in *United States v. Marigold*.⁴⁵ True, Taney does find

⁴¹ See *J. Patterson in Van Horne v. Dorrance*, cited above; also *J. Story in Terrett v. Taylor*, 9 Cr. 43 (1815), and in *Wilkinson v. Leland*, 2 Pet. 627 (1829).

⁴² The leading case on this point is that of *Wheaton and Donaldson v. Peters and Grigg*, 8 Pet. 591, 658.

⁴³ See note 40, *supra*; see also *J. Miller in Loan Association v. Topeka*, 20 Wall. 655 (1874) and in *Davidson v. New Orleans*, 96 U. S. 97 (1877).

⁴⁴ 9 Wheat. 1, 196-197. The doctrine here stated is that the only limitations upon the power of Congress in the regulation of foreign and interstate commerce are the purely political limitations which arise from the responsibility of Congress to its constituents.

⁴⁵ 9 How. 560.

the restriction which he is applying in the Constitution itself, namely, in the "due process of law" clause of the Fifth Amendment, but what this admission signifies is simply this: that his use of the clause in question can draw no valid support from the earlier history of the doctrine of "vested rights", which upon fundamental principles was applicable only as a limitation upon the legislative power of the states, and that therefore its only justification is to be found in what, in 1857, was a relatively novel doctrine peculiar to the courts of two states.

But though Taney's invocation of the "due process of law" clause of the Fifth Amendment had so little to warrant it in the constitutional law of the day, it has received subsequently not a few tokens of ratification. Particularly is it noteworthy that the Republican opponents of the Dred Scott decision, instead of utilizing Curtis's very effective dissent at this point, now pounced upon the same clause of the Constitution and by emphasizing the word "liberty" in it, instead of the word "property", based upon it the dogma that Congress could not *allow* slavery in the territories.⁴⁶ After the Civil War Taney's Republican successor, Chase, used the "due process of law" clause of the Fifth Amendment in his opinion in *Hepburn v. Griswold* in the same sense in which Taney used it in *Scott v. Sandford*, but only as a limitation upon the implied powers of Congress.⁴⁷ This doctrine was flatly rejected by the Supreme Court, speaking through Justice Strong, in *Knox v. Lee*.⁴⁸ Yet a few years later, Justice Strong himself was elaborating the Taney-Chase point of view in his dissenting opinion in the *Sinking Fund* cases, and connecting it with *Hoke v. Henderson*.⁴⁹ Of late years too the same doctrine has shown a disposition to crop up repeatedly, though it is uncertain whether it has ever attained the dignity of formal decision.⁵⁰ Meantime of course, since the middle nineties, when the Supreme Court began to regard itself as the last defense of the country against socialism, it has been applying

⁴⁶ See the Republican Platform of 1860, para. 8. At this point the Republicans followed McLean's opinion rather than Curtis's. Note the significance in this connection of the discussion as to whether slaves were recognized by the Constitution; and also of the discussion as to whether slavery was recognized by natural law.

⁴⁷ 8 Wall. 603, 624; cf. J. Miller's cogent answer, *ibid.*, 637-638. Also, cf. the Chief Justice's own decision in *Veazie Bank v. Fenno*, in the same volume of reports, 533 *et seq.*

⁴⁸ 12 Wall. 457, 551. C. J. Chase elaborates upon his earlier argument under the Fifth Amendment at 580-582; he quotes the old dictum in *Calder v. Bull* to support his position.

⁴⁹ 99 U. S. 700, 737-739.

⁵⁰ See the various justices in the Northern Securities Company case, 193 U. S. 197, 332, 362, 397-400. See also J. Harlan in *Adair v. United States*, 208 U. S. 161, 172-174; cf. J. McKenna, *ibid.*, 180-190, and J. Holmes, 191.

steadily in modified form the North Carolina-New York doctrine in limitation of state legislative power under the Fourteenth Amendment.⁵¹

Turning finally to the consideration of our third main topic, namely the character of the issue between Chief Justice Taney and Justice Curtis upon the question of citizenship raised by Dred's attempt to sue in the federal courts, we find that it can be disposed of rather briefly. The usual view of the issue referred to is that it resolved itself into a dispute as to the relative weight to be given to the two conflicting sets of facts bearing upon the question whether negroes were in any case capable of citizenship at the time of the adoption of the Constitution, a dispute in which it is generally agreed that Justice Curtis had the weight of evidence on his side. This account of the matter is inaccurate. A careful comparison of Chief Justice Taney's opinion with that of Justice Curtis reveals the fact that the fundamental issue between the two judges, though it is not very specifically joined, is not whether there may not have been negro citizens of states in 1787 who upon the adoption of the Constitution became citizens of the United States, but from what source citizenship within the recognition of the Constitution was supposed to flow thenceforth. Upon this point, Curtis's view was that citizenship within the recognition of the Constitution in the case of persons born within the United States was through the states, while Taney's view was that a "citizen of the United States", to use his frequent phrase, always, unless descended from those who became citizens at the time of the adoption of the Constitution, owed his character as such to some intervention of national authority—was, in short, a product of the national government.⁵² Curtis's theory, it can hardly be doubted, was that of the framers of the Constitution, wherefore Taney's pretense of carrying out not only the spirit but the very letter of the Constitution as it came from the framers, becomes at this point particularly hollow.⁵³ On the other hand, Taney's view is a very logical, and indeed inevitable, deduction from his whole body of doctrine with reference to the federal system. This doctrine, which came from the "Virginia School" after its disappointment at the failure of the

⁵¹ See the writer on "The Supreme Court and the Fourteenth Amendment", *Michigan Law Review*, VII, 642-672. See also *Holden v. Hardy*, 169 U. S. 366, and *Lochner v. the People of the State of New York*, 198 U. S. 45.

⁵² Taney states his position on this point at pp. 404-406 and 417-418 of the Report, and Curtis states his at p. 581.

⁵³ Taney translates the "citizens of each State" clause of the Constitution as "citizens of the United States", but the derivation of this clause from the Articles of Confederation forbids any such notion. See also *Federalist*, no. XLII.

Virginia and Kentucky Resolutions to establish the primacy of the states in the federal system, was the theory of the dual nature of that system: the states independent and sovereign within their sphere and the national government within its. This theory Taney had voiced from the beginning of his judicial career, so that, at this point at least, he was acting consistently with his past. Also, without doubt, the doctrine in question was pretty well established by 1857, both in judicial decision and in political thinking.⁵⁴

To summarize: I conclude, first, that the Dred Scott decision was not *obiter dictum* within any definition of *obiter dictum* obtainable from a fair review of the practice of the Supreme Court, particularly under Marshall, in constitutional cases; secondly, that it was not based by the majority of those entering into it upon Calhounist premises; and thirdly, that Justice Curtis's supposed refutation of Taney's argument upon the question of Dred Scott's title to a *prima facie* citizenship within the recognition of the Constitution is a fiction. None of these results, however, goes far to relieve that decision of its discreditable character as a judicial utterance. When, as in this case, the student finds six judges arriving at precisely the same result by three distinct processes of reasoning, he is naturally disposed to surmise that the result may possibly have induced the processes rather than that the processes compelled the result, though of course such surmise is not necessarily sound; but when he discovers further that the processes themselves were most deficient in that regard for history and precedent in which judicial reasoning is supposed to abound, his surmise becomes suspicion; and finally when he finds that beyond reasoning defectively upon the matter before them, the same judges deliberately gloss over material distinctions (as for example, in this case, the distinction between sojourn and domicile) and ignore precedents that they have themselves created (as for example, in this case, the decisions regarding the operation of state decisions upon questions of comity) his suspicion becomes conviction. The Dred Scott decision cannot be, with accuracy, written down as usurpation, but it can and must be written down as a gross abuse of trust by the body which rendered it. The results from that abuse of trust were moreover momentous. During neither the Civil War nor the period of Reconstruction did the Supreme Court play anything like its due role of supervision, with the result that during the one period the military powers of the President under-

⁵⁴ For a statement of this doctrine, see Taney's opinion in the United States v. Booth, cited above, note 19. It should be noted in passing that this elucidation of the real issue between Taney and Curtis on the citizenship question throws additional light on the close relation existing in Taney's mind between the question of Dred's servitude and that of his citizenship.

went undue expansion, and during the other the legislative powers of Congress. The court itself was conscious of its weakness, yet notwithstanding its prudent disposition to remain in the background, at no time since Jefferson's first administration has its independence been in greater jeopardy than in the decade between 1860 and 1870; so slow and laborious was its task of recuperating its shattered reputation.

EDWARD S. CORWIN.

DOCUMENTS

Secret Reports of John Howe, 1808, I.

THE feeling of acute tension between Great Britain and the United States in 1807 resulted in detailed preparations for defence throughout British North America. 'Civil governors gave way to men whose strength lay rather in the fact that they were experienced military officers; old fortifications were renewed, and new ones planned; military stores were suddenly augmented; while the numbers of the militia and their proficiency in the manual of arms became important, burning topics.¹ Amid this threatening rattle of arms the employment of secret service was once again resorted to as an auxiliary force of no mean value. Two movements run parallel in east and west: in Lower Canada Sir James Craig received the now famous letters of John Henry in the spring of 1809, while in 1808 Sir George Prevost, lieutenant-governor at Halifax, was gleaning information along similar lines from the reports of John Howe. Likewise in each case the prologue is well defined. If Prevost's predecessor Sir John Wentworth and certain official associates took the first step to discover the real disposition of their American neighbors whose trade was so important for Nova Scotia, the correspondence of H. W. Ryland affords a clear view of preliminary movements at the other extremity of British North America.

With Sir James Craig and the letters of John Henry we need spend little time. They are well known. It will be sufficient to note that the guiding spirit in this affair was Herman W. Ryland, a relative of the English royal family, who came to Canada with Lord Dorchester, and had become almost a permanent secretary to the governors. He carried on the tradition of Dorchester's secret service, and corresponded with several persons on various political topics of a confidential nature.²

On the other hand the records of secret service in Nova Scotia

¹ This is amply proven by state papers in Q and M series in the Canadian Archives at Ottawa.

² Letters to him from John Richardson and John Henry are in Lower Canada Supdries of the S series at the Dominion Archives. The Henry letters given *in extenso* in the *Canadian Archives Report* for 1896, Note B, are taken from series Q. Some in series S have not been printed. The Henry letters bought and printed by President Madison, and dated at Boston, March 5-May 25, 1809, may be most conveniently seen in *American State Papers, Foreign Affairs*, III, 547-552.

during this period are almost unknown, and no satisfactory account has ever been given of the documents printed below. They are taken from series M at the Dominion Archives at Ottawa, numbers 577 F-577 H inclusive. The originals are among Colonial Office papers at the Public Record Office, London, series "Colonial Correspondence, Nova Scotia", volumes 41-45 inclusive (new reference "C. O. 217", volumes 81-85 inclusive).

It is not difficult to trace the steps leading up to the formal mission of John Howe. It could hardly be unknown to all high officials in British North America that Jefferson's embargo policy was decidedly unpopular in New England. The murmurings of the disaffected and the comparative looseness of the federal bond were other patent facts of the time. As a result we find British officials both in England and in America endeavoring to obtain a more exact knowledge of the political situation in the United States with a view to profiting thereby should war ensue. When fugitive items were not deemed sufficient the sending of regular agents logically followed. It is significant that both Lower Canada and Nova Scotia sent emissaries to those parts of the United States in whose trade they were chiefly interested; the commercial relations of Nova Scotia covered a wider field.

On October 26, 1807, Sir John Wentworth wrote to the colonial secretary as follows:³

As accurate information of the military movements, occurrences and intentions in the neighbouring Country's, is essentially necessary at this interesting and anxious crisis of Public affairs, to enable His Majesty's servants in command here, to take precautionary measures for defence with effect, or to frustrate any hostilities contemplated against the King's authority in these Colonies, Vice Admiral Berkeley, Major General Hunter and myself have thought it, not only adviseable, but too seriously essential to omit despatching a person well qualified, to observe whatever may be agitating.

This preliminary agent was Lieutenant Girod, who returned in May, 1808, and delivered his report.⁴

The character of the information which reached Halifax at this time may be judged from two extracts. The first was written by Major-General Martin Hunter, then commanding the military at Halifax.⁵

By a gentleman on whom I can depend that arrived here on Sunday last from New York I found at that time no further preparations were

³ Canadian Archives, series M, 577 E, Wentworth to Castlereagh, no. 177, Oct. 26, 1807.

⁴ Can. Arch., series M, 577 E, Wentworth to Cooke, May 25, 1808. Lieut. Girod's report is printed as no. I., below.

⁵ Can. Arch., series M, 577 D, Hunter to Castlereagh, Nov. 11, 1807.

making for the defence of the City, except some additional Batteries on Georges Island. The narrows still remained unfortified; he counted thirteen Gun Boats sailing about in the Harbour he said he was certain that the Eastern members of Congress to a man were for Peace, but that they were much afraid at New York that they would be out voted by the Southern members. In the event of Hostilities with England it was generally supposed the Indians were inclined to join us.

The second was penned by Sir John Wentworth, and is as follows:⁶

This District [New England] is offended at the interference of France in the affairs of the Union, too obviously to be doubted, and with a separate interest driving them to War, and alarmed at appearances, that the Conquest of Canada, Nova Scotia and New Brunswick, under the command of General Moreau, will bring the power of France so near to New England as to entail war and corrupt means for their subjugation. They also wisely appreciate their probable loss, and present inability for carrying on a maritime war, and are jealous, that their interests are not considered by those in Government, who urge a rupture with Great Britain. These impressions are so deeply prevailing, that they will act coldly, and not impossibly, if compelled will openly refuse aid. . . .

The members of Congress from the Eastern States on their journey to Washington, frequently declared, they were resolved to vote for Peace, and Mr. Gallatin, Secretary of the Treasury signified to his private friend—That secret instructions were sent, to their minister in London, not to insist too seriously on their claims, rather seeking moderate modifications.

As a result of these reports Sir George Prevost, Wentworth's successor, received formal instructions from the colonial secretary, which ran in this wise:⁷

In addition to the official instructions you have received, I think it right to furnish you with some private suggestions which may be of use according to exigencies.

It is believed that the Leaders and Inhabitants in general of the North Eastern States entirely disapprove of hostile measures against this Country, of which they seem by their Publications and Votes, to deny both the Policy and Justice. If this spirit be as sincere and as general as we are led to suppose, no means should be unemployed to take advantage of it.

With this view, I am to desire you will use your utmost endeavours to gain Intelligence with regard to the projects of the American Government in General, and particularly those of the States bordering upon His Majesty's Territories; and as this service cannot be effected without Expence, I am to authorize you to make such advances as you shall judge necessary, and to draw Bills for the amount upon my under secretary Mr. Cooke. . . .

⁶ Can. Arch., series M, 577 D, secret despatch (no. 178) from Wentworth to Castlereagh, Nov. 14, 1807.

⁷ Can. Arch., series M, 577 E, draft of private and secret despatch to Sir George Prevost, Downing Street, Feb. 13, 1808.

If, upon the breaking out of Hostilities, you shall find the adjacent States indisposed to active Warfare, and willing to enter into any private arrangement for mutual convenience in point of Trade; you may possibly turn this Disposition into a Means of facilitating the Introduction of British commodities and manufactures. The Power you will have of giving the Americans Indulgence in Fishing, in obtaining Gypsum from New Brunswick, or coals from Cape Breton, will enable you to make Arrangements of this kind and such measures will show that as the Eastern States of America seem to disapprove the violence of the Southern States of the Union, Great Britain is disposed to make a just distinction in the Conduct of the War, towards them.

The Circulation of proper Publications in the neighbouring States through the medium of the Press may have good effect in awakening the Americans to the Ill conduct and Impolicy of their Government in precipitating Hostilities between the two Countries, which it was the obvious interest of America, and the express Wish of Great Britain to avoid.

Upon arriving at Halifax Prevost sent a sloop of war to the British minister at Washington with a letter announcing his presence in Nova Scotia, and a note in cipher making arrangements for the use of that code. He also sent a "respectable and intelligent Inhabitant of Halifax, first to Boston, then Washington, Norfolk, and New York, with the instructions contained in No. 1".⁸

This individual was John Howe of Halifax, king's printer in Nova Scotia. John Howe was born in Boston in 1754. Just before the Revolution he entered into a partnership with the widow of Richard Draper in the publication of the *Massachusetts Gazette*. At the time of the general evacuation on March 17, 1776, he withdrew to Halifax, but at the end of that year went with the British forces to Newport, where from January, 1777, until (probably) October, 1779, he published in the royalist interest the *Newport Gazette*. Settling at Halifax he began on January 5, 1781, the publication of the *Halifax Journal*, became king's printer, and later postmaster-general of the Maritime Provinces, also having charge of the important Halifax post-office. He died in 1835. To many he is best known as the father of the famous Nova Scotian statesman Joseph Howe.⁹

Upon Howe's return from his first mission it was deemed best to obtain further information, and he was prevailed upon to make a second trip, which lasted from November 10, 1808, to January 5, 1809. His instructions, with which the second installment of the

⁸ Can. Arch., series M, 577 E, Prevost to Cooke, Apr. 27, 1808.

⁹ James W. Longley, *Joseph Howe*, pp. 1-4; James H. Stark, *The Loyalists of Massachusetts*, pp. 361-364; Lorenzo Sabine, *Biographical Sketches of Loyalists of the American Revolution*, I. 548-550.

papers here printed will open, were sent as queries to British consuls in both the northern and southern states.¹⁰

In conclusion it may be noted that Howe's report on the disposition of the eastern states was so satisfactory, as a result of his second mission, that on it Lieutenant-General Sir George Prevost decided to proceed on his expedition to the West Indies.¹¹

DAVID W. PARKER.

I. GIROD TO WENTWORTH.

To Sir John Wentworth Bart.¹²

Report of a Journey to the United States of America.

Sir,

It having been represented to Admiral Berkeley that a considerable armament of Vessels and Troops was forming in the Bay of Penobscot, and it being deem'd necessary for the good of His Majesty's Service to ascertain the nature and extent of the preparations, I proceeded in the beginning of the Month of November 1807 at the joint request of his Excellency the Lieutenant Governor of Nova Scotia, of Admiral Berkeley¹³ and of Major Genl. Hunter, commanding the Garrison of Halifax to reconnoitre the position of Penobscot now call'd Castine, situated on the Eastern shore of the Bay and about 150 miles from the eastern frontier of the United States, and having assum'd the character of a Swiss, I had an opportunity of examining the post, but found not the smallest appearance of any hostile preparations, there being at that time not more than five small vessels in the port, all of which were either loaded with wood or haul'd up on the shore; a single company of Militia of the town was the only Military force in that neighbourhood, these were, as I was inform'd, occasionally exercis'd to the use of the great guns, the fort situated at the extremity of the peninsula and commanding the entrance of the harbour, appear'd to have been long neglected, this fort built by His Majesty's forces during the war was always kept by them, the Americans having made an attack on it, were repuls'd with considerable loss. Having satisfied myself on this head, I proceeded according to the instructions I had receiv'd to take a view of the ports of Portland, Boston, Newport, Rhode Island, New York and Philadelphia, in neither of which, so far from finding any appearance of offensive operations, not even the slightest measures of defence had been undertaken; and on my return in the months of April and May 1808 everything was exactly in the same state in all the above ports, the summary then of my observations with respect to the naval and military situation of the country is, that there is not a single Frigate

¹⁰ Can. Arch., series M, 577 B, Prevost to Craig, Nov. 19, 1808: *ibid.*, Prevost to Cooke, Nov. 30, 1808: Can. Arch., series M, 577 H, Hunter to Castle-reagh, Jan. 9, 1809. The replies of the consuls are not at the Dominion Archives.

¹¹ Can. Arch., series M, 577 H, Prevost to Cooke, May 19, 1809.

¹² Sir John Wentworth (1737-1820), last royal governor of New Hampshire, lieutenant-governor of Nova Scotia from 1792 to 1808, when he was superseded by Sir George Prevost.

¹³ Vice-Admiral George C. Berkeley, commanding on the Halifax station.

ready for sea, the *Wasp* and *Hornet* sloops being the only ships of war at present fit to go to sea, all the others being either refitting or laid up, there are about ninety Gun boats distributed in the different harbours of the United States.

The Militia is badly disciplin'd and still worse arm'd, and according to the present organization every man being oblig'd to furnish his own gun, they are form'd of different calibre.

The levy of 6000 regular Troops voted by Congress is recruiting with considerable difficulty, as may be suppos'd in a country where ordinary labourers earn a dollar p^r. day: there are no magazines of provisions [or] warlike stores, and they have no tents, nor the smallest appearance of any hostile preparation: such was the state of the country when I left it.

With respect to the general sentiments of the people, I am dispos'd to think them favorable to Great Britain, notwithstanding that the majority of the states continue to give their decided support to the Executive, by electing into the legislature such men as are known to have uniformly supported the measures of government; yet are we not to suppose that all those who from various motives have been induc'd to favour the Executive, are hostile to Great Britain, neither are we to imagine all those to be favorable to her interests who oppose the views of the President

The wounds receiv'd during the war are still felt by many who were more immediately exposed to the evils with which it was inevitably attended, and every means are resorted to by the government in order to encourage and increase this spirit of rancour and animosity, nothing is left unemploy'd that may tend to excite the public mind; every piece of exaggerated intelligence most calculated to inflame the public opinion, and rouse the feelings of the nation is industriously circulated; and until the effects of the Embargo be more generally felt by the agricultural part of the community, the President will undoubtedly be supported.

The determin'd hostility of the Executive to the Interest of G. Britain is too evident, yet in a matter of such magnitude so deeply involving the general interest of the nation, his indecision is equally manifest. A declaration of war against Britain, unless some new cause of dissatisfaction be given wou'd be odious and unpopular, and at this time would prove highly injurious to the interest of Mr. Maddison whose election to the presidential seat and which¹⁴ he has very much at heart.

The President of the United States will however probably endeavour to throw the odium of a war on the British Government, and there is little doubt that the sloops of War and Gunboats that have lately arriv'd on the Eastern shore of this territory, have been sent in the hope that some serious difference may be excited in that quarter, although the ostensible motive of their coming was to enforce obedience to the Embargo law.

It was not in my power to enter deeply into the ulterior views of the Government of America; the want of support of His Majesty's Minister during my residence at Washington did not admit of my forming those connections from which I might hope to derive any political information: for, it not having been thought prudent on account

¹⁴ Sic.

of the difficulties that might occur to me during my progress through the Country that I should have in my possession any document that might lead to a discovery of my real Character, I did not take with me any letter to the Minister, trusting that Admiral Berkeley as he assured me, would announce my arrival to Mr. Erskine, but no letter to that effect ever came to hand, so that Mr. Erskine himself was never perfectly satisfied as to the identity of my person, much less with respect to the motives of my journey to that Country.

Thus Sir, you will perceive that my views were in great measure frustrated; without the certainty of support from the Minister in case [of] difficulty, I did not proceed to Charleston and New Orleans, indeed my Instructions did not go so far, yet perhaps more useful information might be obtain'd there than in any other part of the Union.

I have the honor to be with the greatest Respect

Sir

Your obedt. and faithful Servant

WILLIAM GIROD

Lieut. 101st Regt.

HALIFAX Nova Scotia

28th May 1808.

Original.

[Endorsed:] Lieut. Girod's Report to Sir John Wentworth.

II. PREVOST'S INSTRUCTIONS TO HOWE.

To ascertain how far His Majesty's wishes are approved in the United States, and whether any and what measures could be adopted to re-establish and preserve a future good understanding between the two Nations?

To ascertain the strength of the federal and democratical Parties—how far the one or the other prevail in each state? which of the States are the most leading and influential?

State of Parties, to be attained, by their chusing of Governors, and canvassing for the Election of a President.

Should the decision of these Elections indicate a prevalence of the party hostile to Great Britain—endeavour to ascertain whether hostilities are likely to be immediate or remote?

What preparations for the War are making in America—whether Naval or Military?

What Success has attended the raising of six thousand Troops of the Line lately voted, whether 25,000 Militia, or any part of them ordered into immediate service, have been called into actual Service? and if so where are they stationed?

To attend the Debates of Congress, by which the President's intentions might in a considerable degree, be developed.

If any sudden indication of Hostility should appear, to arrange with confidential Persons the readiest mode of communicating it.

[Endorsed:] In Sr. G. Prevosts

April 1808

No. 1.

III. HOWE TO PREVOST.

BOSTON, May 5, 1808.

Sir,

I arrived here in the *Emulous* the 22d Ult. on which Morning, I proceeded with Lient. Garbett, to the Town; and on landing, went with him to the Custom-House, when he delivered a very proper Letter from Captain Stupart, to the Collector, in which was stated that he was the bearer of Dispatches to Mr. Erskine, His Majesty's Minister at Washington, and expressing his Wish to be permitted to discharge this duty in perfect conformity to the Directions contained in the President's Proclamation.

The Collector¹⁵ received us politely, and without a minute's hesitation, expressed in the fullest manner his acquiescence in Captain Stupart's desire, and said he might land with the Dispatches when he pleased. I then stated to him that I had come as a passenger in the *Emulous* on a visit to my friends, and requested permission to land my Trunk, and would thank him to direct a proper Officer to inspect it. He replied, that was quite unnecessary, and I might land it when I pleased. Having thanked him for his politeness, we left the Office. But on a little reflection, we agreed to return to the Custom-House, and make another request, which if granted, would leave us, while the ship remained here, in full possession of all the indulgence that was necessary either for duty or convenience. We expressed a wish, that the Boat which would immediately return to the Ship, should be permitted to take from the Market such Articles of Provision, as might now, or during her stay, be wanted. This the Collector also, most readily granted, and from that period to the present, the Purser has had as ready access to the Market of Boston, as he could have to the Market at Halifax.

Captain Stupart landed with his Dispatches next Morning; and every day afterwards, a part of the Officers were on shore, and permitted to go where they pleased. They have been in every instance received with politeness, and the mutual acts of Civility which have passed, will I am convinced, be attended with the happiest political effects. And I cannot help here remarking, that the experiment thus made of the present feelings of this Section of the American Union, could not have been committed to an Officer more completely fitted to the task than Captain Stupart. His uncommon suavity of Manners have rendered him agreeable to every description of the Community with whom he has occasionally mixed, and such is the strict, yet pleasing discipline of his ship, that while Officers and Men look up to him with the most marked respect, he has excited their utmost veneration, and they appear studiously proud to imitate his correct and orderly manners. I am convinced that good will result to both Countries from the reciprocal kindly intercourse, which has so freely taken place between Captain Stupart, his Officers, and the inhabitants here. I should not have so fully noticed this circumstance, was it not from the conviction, that as things trifling in themselves, have often led to the most serious contests among Nations, so by circumstances, apparently full as trifling, have these contentions been brought to a happy termination. And I am convinced, if care is taken, while the present jealousy sub-

¹⁵ Henry Dearborn.

sists between the Countries, to select temperate, judicious persons to hold such communications as may be necessary, and circumstances that would lead to irritation are carefully avoided, that the period is not far distant when a friendly intercourse will be renewed between the respective Countries.

A day or two after my arrival here, I was attacked in a violent democratic Paper, which your Excellency will find among the Papers enclosed;³⁶ but it excited no other sensation here than general contempt, and the Federal Printers were preparing to attack the Editor, which I was obliged to take pains to prevent, as it was altogether inconsistent with the object of my pursuits, to excite, in any degree the public attention towards me.

I have, from the day of my arrival been treated with the utmost kindness, by all descriptions of the community; have conversed as freely on all topics, as I could have done in Halifax, and have without restraint gone where I pleased, and viewed what I pleased.

On our entrance into the Harbour, the first noticeable object that strikes the eye is the remains of two Redoubts which appear to have been formerly erected to defend the Entrance into Nantasket Road. They appear in a perfectly ruinous state, and are at present not calculated to be considered of any defensive use whatever. As we passed Fort Independence (formerly Castle William) slowly in the Boat, I had a good View of the Fort, and am convinced from my own observations, and the enquiries I have since made, that though much money has been expended on it, it is inferior as a defensive post to what it was when in our possession.³⁷ Its garrison consists of about 50 Men commanded by a Major. This gentleman expressed to a friend of mine his wish to invite Captain Stupart and his Officers to dine at the Castle, but thought in the present state of parties in the Country it would not be prudent to do it. On one or two Islands and at Dorchester Heights are to be seen the remains of Redoubts, which were thrown up during the Revolutionary War, and which appear in that state of ruin which such a lapse of time is calculated to produce. After examining all the Heights calculated for defensive positions in or about the Town, there is nothing to be seen, but the remains of Works in a state of Ruin, no guns mounted, nor any appearance whatever, that could lead to the most distant idea that they either contemplated war, or were wishing to be prepared for it.

The great number of new and elegant buildings which have been erected in this Town, within the last ten years, strike the eye with astonishment, and prove the rapid manner in which these people have been acquiring wealth. The revolutionary situation of Europe, has made them the most exclusive [extensive] Carriers of the Powers at War with Great Britain—their extensive Fisheries and Lumber Trade, with a great surplus of Provisions and other staple commodities for exportation, which they have been permitted, almost without restraint, to carry to Great Britain and her Islands, have filled them with that Wealth the

³⁶ Efforts made to identify this newspaper article have not been successful.

³⁷ A report on fortifications which the Secretary of War sent to the House of Representatives on December 8, 1807, records as follows: "Fort Independence, Boston Harbor. A regular, strong, inclosed work of masonry, with magazine, quarters, barracks, and other buildings, commenced in the year 1800 and completed in 1803." *American State Papers, Military Affairs*, I, 223.

operative effects of which are so visible in every direction, that they cannot fail most forceably to strike the eye of even a superficial observer.

In proportion, however, to this appearance of Wealth and prosperity, is the state of suffering they are at present reduced to. Before the Embargo, not a House or Store remained long unoccupied in this Town. It is now computed that there are at least 500 Stores and Houses to let, as the late occupiers of them have been either obliged to go into the Country, or to turn their attention to other pursuits, than those they were engaged in for support. Wharves where immense bustle were visible before, are in a manner departed. Trademen particularly those whose employments depended on Shipping, are suffering very severely. All descriptions of the Country are more or less effected, and you scarcely meet a person who is not complaining: And yet they appear to endure it with a degree of philosophy that is really surprising in a Country where the actions of Men are under so little restraint.

Distressing as is the situation of this country occasioned by the Embargo, it is producing the very best effects as respects Great Britain. Every one feels that he suffers, and he is daily led to enquire, Why he thus suffers, and who are the authors of his sufferings. The unqualified and frank disavowal in His Majesty's speech of the attack on the *Chesapeake*, joined with the temperate expressions contained in the Speeches of the leading Members of our Administration in Parliament, and the general friendly communications of Mr. Rose, are gradually establishing in the minds of people here, the conviction, that Great Britain does not wish to disturb their tranquility: and though as far as respects the point on which the negotiation finally terminated, they seem to have a general coincidence in opinion with the President, yet I am satisfied that the wish is general, that some compromise could be adopted; and on general politics they appear more disposed to blame their own Government than ours.

Great as are the distresses of the merchants here, they are trifling to what they have suffered at New York, where Bankruptcies are innumerable, and to immense amount. Only three or four failures have taken place here, and those not of much magnitude. Great quantities of British Goods are to be seen in the innumerable stores in this Town. As the intercourse is stopped by the Embargo, these goods are rising, in some instances from 10 to 20 per cent., and I am satisfied that as far as respects the debts due here to British Merchants, there will not ultimately be much loss. The most general distress in this State, has taken place at Portland (formerly Casco Bay). This Settlement has carried on an extensive Lumber Trade with Liverpool, besides its supply of Fish and Lumber to the West Indies. They were rising most rapidly from the credit of the British Merchants, and pushing their Enterprises beyond the extent of any capital they had acquired, and to the very utmost extent of the Credit they could obtain,—the Embargo has paralyzed all their efforts, and involved them, with very few exceptions, in one general state of ruin and bankruptcy. All the Commercial Towns in this State have more or less suffered by this ruinous measure, but, none to the extent that Portland has done.

Your Excellency will perceive by the Papers, that though Governor

Sullivan has succeeded in his Election,¹⁸ yet that he will carry it by a very trifling majority, and when the respectability of the Party which opposes him is taken into consideration it affords to their opponents no real ground of triumph: For in mixing with this Community it readily strikes every one that the wealth, talents, and national ideas of Government centre almost exclusively in the federal Party. A large proportion of the Democrats, with whom I have freely conversed, appear as much opposed to the present measures of the Government as their opponents, but considering Governor Sullivan as the head of their party here, they have exerted themselves to effect his re-election, lest his failure, should involve the party in disgrace. But though it is considered from the Votes returned, that the re-election of Governor Sullivan is certain—yet the Federalists have succeeded in obtaining a Federal Senate, and a great increase of Federal Members in the Lower House. And they consider this as establishing such a check on the measures of the Democratic Party as will paralyze, if not defeat them altogether. On the whole therefore, the Elections have afforded triumph to the Federal Party, which the ruinous effects of the Embargo are every day strengthening. The irritation against Great Britain is fast wearing off, and the most anxious wish appears to be a renewal of the commercial intercourse between the Countries. If therefore the Business of the *Chesapeake* was once removed out of the way, and some mode could be adopted to discriminate between the Seamen of both Nations, I believe a greater cordiality would soon take place than at any period since the Revolution. The present suffering of this Country, though a temporary inconvenience, will, I am convinced, be ultimately very beneficial to Great Britain. They feel how necessary her friendship is to their prosperity. A large proportion of them begin to reason justly of the motives of self-defence which induce Great-Britain to issue the restrictive orders she has done; and they appear much alarmed at the increasing Power of Bonaparte.

In the Papers I have the honor to enclose, your Excellency will perceive that the original measure of Embargo has been followed by a multitude of other restrictive Acts, to make this destructive measure more general and effective.¹⁹ These additional Acts have been occasioned by a knowledge, that at New Orleans, Passamaquaddy, and the American Territory contiguous to our Settlements in Canada, Flour and every Species of American produce were finding their way to the British and Spanish Territories. Instead, however, of these Acts producing the smallest check to the exportation of those Articles which we need, the Trade to Passamaquaddy, has been almost the only trade carried on since I have been here, and the Quantity of Flour and other Articles shipped there have been immense. A few days ago the Custom-House, after receiving the last restrictive Act, took back the Papers from two or three Vessels that had cleared out from Passamaquaddy. This excited a Clamour against the Collector, as the owners in making their Shipments, had not, as yet, violated either of the Embargo Laws, though the nature of the Shipments, and the place to which they were going, left no doubt as to the Market they were designed for. I have

¹⁸ James Sullivan was re-elected governor of Massachusetts in April, 1808, by a good majority, but with a small Federalist majority in the senate and house of representatives.

¹⁹ Acts of January 9, March 12, and April 25, 1808.

had many questions asked me relative to this Trade by Merchants here, who have great Stocks by them, and are suffering severely. As the Shipments made to Passamaquaddy, have drawn the attention of the Government to that Quarter, I have advised them to make their deposits on other parts of their extensive Coast, where no alarm is excited. They have taken this hint, and I am convinced that Shipments in all directions, and of every Species of Articles that our Government may think it necessary to encourage the importation of, will find their way into our Territory. While Congress remained in Session, a hope was entertained by the Merchants here, that the Embargo would be taken off, and the majority of them were patiently enduring the evil, in hopes it would not be of long continuance. But as Congress has now adjourned until November,²⁰ and there are on Hand immense quantities of Fish which will perish as the warm weather comes on, I find within these few days that many of them have begun to pack dry fish in Hogsheads, and are determined to find means of sending it to a Market. Many individuals who have these perishable articles on hand, will be ruined if they do not take these measures to extricate themselves; and were there a thousand Embargo Laws, they would have no effect in restraining them. On the whole, I am satisfied there are no Articles of Provision, nor any Species of Naval Stores which this Country produces that may not easily be procured, if it was once known, to what extent they could be admitted into our Colonies;²¹ and what facility and security could be given to enterprising men here, who would exert themselves to introduce them.

As far as respects military preparations in this Country, there are none whatever. In the early part of the late Session of Congress, the President recommended calling into actual Service 25,000 Militia and the raising 6000 regular Troops. After much discussion, and a variety of projects for carrying these measures into effect, Congress has at last, negatived the proposal for calling into Service the 25,000 Militia. A Bill has passed for raising the 6000 men, and recruiting parties are daily expected in the New-England States; but the best informed men here, assure me, that very little progress will attend their exertions in this quarter. It is generally looked upon as a very unnecessary measure, and there is none of that enthusiasm here, that would be calculated to contribute to its success. Those who are most sanguine as to the success of the recruiting Parties, do not think it possible to raise the 6000 men contemplated within a year. It is supposed the President, who appoints the Officers, has more in view by the exercise of his patronage, the increase of his Party, than any other object whatever. There is therefore as far as respects hostile preparations, nothing taking place in this Country, at present, to excite the smallest alarm in His Majesty's Government; and as Congress is now adjourned to November, there are no material measures that can be adopted, that could have any effective tendency.

The Presidents real object in the Embargo, has undoubtedly been to league with France, as far as he dare, in general measures for the destruction of the Commerce and Maritime resources of Great-Britain.

²⁰ Congress adjourned April 25, 1808.

²¹ Orders in Council of April 11, 1808, ordered British naval officers and other officials not to interrupt any neutral vessel which was taking lumber or provisions to the British West Indies.

But as Philosophers in general make wretched Politicians, so has he totally miscalculated his measure and the effects it would produce. In his endeavours to injure Great-Britain, he has reduced this Country to the utmost state of suffering. These sufferings will increase as long as the Embargo continues, they have already greatly influenced the Elections, and if no new circumstance of irritation takes place on our part, and His Majesty's Government steadily and quietly pursues its present system, I am convinced the most beneficial effects to both Countries will ultimately result.

I have been at Marblehead and Salem. These Towns are much divided in their politics. At Marblehead their extensive Fishery is all at a stand, and the Vessels usually employed in it, laying useless in Port. Two Companies of Militia Artillery were under Arms, the day I passed there, it being their training day. The Officers affect an imitation of the French in their Uniforms; but the general appearance of the Companies, had nothing whatever about them, to excite any other than risible sensations. Several Militia Companies have paraded since my arrival in Boston: But the best of them appear to me inferior to the Militia Light Infantry Company of Halifax.

At Salem a great number of valuable Vessels are laying at the Wharves—Business of all kinds totally suspended, and in passing the whole extent of the Margin of their harbour, I could scarcely find a seaman. They have gone among their friends in the country. Very few who have the appearance of British Seamen are to be seen either here or at Boston. This Town is filled with India goods. The Trade which Great Britain has allowed them at Calcutta, and other of our Ports in India, and their Trade with China, and the North-West Coast of America, has made them generally rich. No bankruptcies have taken place here, in consequence of the Embargo, nor are any expected. There is no Sea-Port in this State where there is a more general appearance of wealth, and where the Merchants are so completely independent.

I would have visited the State of New-Hampshire, but being satisfied from the best information, that there were no Military preparations there, or in any part of the Eastern Country, and nothing to excite the attention to any of your Excellency's objects, I thought such a journey would be useless, and have therefore omitted it.

As the information from Washington after my arrival here satisfied me that I could not reach it before the rising of Congress, I thought it better to linger here until the *Emulous* was ready to return to Halifax.

Besides these observations which I have in a desultory manner committed to paper as they occurred, your Excellency will find a general state of the Politics of this Country in the Papers and Pamphlets enclosed. Among these Mr. Pickering's²² and Mr. Monroes²³ Letters have produced very general and valuable effects. There are in the Federal Papers many excellent observations, and those Papers are generally supported by the Wealth and Talents of the Country.

²² *A Letter from the Hon. Timothy Pickering, a Senator of the United States from the State of Massachusetts, exhibiting to his Constituents a View of the Imminent Danger of an Unnecessary and Ruinous War. Addressed to his Excellency, James Sullivan, Governor of the State* (Boston, March 9, 1808).

²³ Monroe's letter of February 28, 1808, to the Secretary of State. *American State Papers, Foreign Affairs*, III, 173.

I shall now proceed without delay to the Southward, and shall not fail to communicate to your Excellency, every thing that occurs, worthy of Notice, from any place where I can, with safety transmit my Letters.

I cannot however close this Letter, without noticing to your Excellency, that I have experienced every attention from Mr. Allen,²⁴ the British Consul here, that I have found him active and intelligent, warmly attached to Government, and that your Excellency may at all times with confidence rely on his zeal and ability.

I have the honor to be

Your Excellency's

Most obedient

Humble Servant

JOHN HOWE

[Endorsed:] Boston 5th May 1808

Mr. John Howe

in Sir George Prevost's

20th May 1808

Original.

IV. HOWE TO PREVOST.

Extract of a letter from Mr. John Howe dated New York, 31st May 1808, to His Excellency Lieut. General Sir George Prevost.

I lost no time after closing my last letter, in proceeding through the Western part of the State of Massachusetts and thro' the State of Connecticut. Though no very material circumstances arrested the attention in this progress, yet I was highly gratified in meeting with people in all directions, and of all descriptions manifesting a most decided wish for a reconciliation with Great Britain, and reprobating the measures of the President. His Embargo pinches alike the Farmer and the Merchant. If I was gratified in finding such a disposition in Massachusetts, this gratification was much increased as I progressed through Connecticut. Here they speak upon the subject with a degree of boldness that astonishes me, and many of them even lamenting publicly that ever they were separated from Great Britain. Their Elections this year, as they have been, are decidedly Federal. Great pains have been taken to fix democratic printers in the principal towns in Connecticut, to change if possible the public opinion: but the general opposition to them has been so great, and they have been so severely prosecuted for libels, that they have soon been obliged to transplant themselves to a more congenial soil.

Another artifice to corrupt these people, is to introduce French Schoolmasters in the Country Villages where there is any considerable population, under a pretence of teaching the French Language. One of these was attempting to fix himself at Litchfield when I was there. But the honest indignation of these people soon convinced me, the French will never become the universal language there. This idea of making the French language universal, which was suggested by Colbert, the Minister of Louis 14th, is pursued by Bonaparte with great zeal in this country. A plan for the more expeditious teaching of this language, has been lately sent free of expense through all the Post Offices in these States. It was shewn to me by one of the Postmasters, and among

²⁴ Andrew Allen, grandson of Chief Justice Andrew Allen of Pennsylvania.

other extraordinary ideas, peculiar to Frenchmen, it states, that the design of this plan was "*to bring the French language home to every man's door*". What rendered the forwarding of this plan, free of expense, through the Post Offices, more noticeable to me, was that it was easy to see in it the readiness of the Executive of this Country to forward the most extravagant wishes of the Emperor of France. For there never was a country, in which Executive influence had shewn itself so plainly, as in the establishment of the Post Office. All the Federal Postmasters have been turned out, and the whole correspondence of the Country placed in democratic hands, and I find cautious people here, are many of them afraid to trust political communications through them. Frenchmen may however not only trust them, but the most extravagant plans of their Government be disseminated through the Country free of Expense.

The Emissaries of Bonaparte are numerous in this country and the extreme licentiousness with regard to Government, which prevails here, furnishes them frequent opportunities to do mischief. By Emissaries like these, has he everywhere prepared the destruction of the Nations of Europe. And yet it seems as if nothing will effectually open the eyes of Men to the mischievous subtilty of his proceedings.

There has nothing turned up since my arrival in New York deserving of notice, except the burial of the bones of persons, who during the time His Majesty's Troops had possession of this city, were buried at the Wallibout. These bones consisted of some of our own Troops and Sailors, and occasionally some of the men who died out of the Prison Ship. The Bank having washed partly away uncovered some of the bones. The Democratic party, as an Electioneering trick, and to revive the ancient enmity to Great Britain, seized upon these bones, as belonging to American prisoners, who through cruelty had perished on Board the Prison Ship. These Patriots set to work with zeal, and actually dug up as many bones as have filled 13 Coffins, and with the most ridiculous parade, after proceeding through the principal Streets of the City, as Your Excellency will perceive by the Papers, crossed Brooklyn Ferry, and proceeded to the place of interment, where they closed the Farce with prayers and orations equally profane and ridiculous.²⁰ Few persons of real character attended this cavalcade, though it suspended all business in the City for the day. The Governor²⁰ expressed to his friends his disapprobation of it, but was obliged to join the Farce or sacrifice his popularity. General Morton who commanded the Troops on the occasion, was I understand equally averse to it. He had in his general orders on the occasion, which are among the papers sent, endeavoured to take off the edge of this measure, as designed to revive animosities, which ought to be forgotten.

When I observe the licentiousness of this country, their continual recurrence to Elections, the manner in which all the Officers of the Government are obliged to cringe for popular favor, which gives and strips them of all their consequence in a moment, I cannot help experiencing the most pleasing sensations on reflecting that I am a subject of Great Britain, whose inestimable constitution, defines and secures the rights of all descriptions of Men, and the Acts of whose dignified execu-

²⁰ See *An Account of the Interment of the Remains of 11,500 American Victims to the Cruelty of the British* (New York, 1808).

²⁰ Daniel D. Tompkins.

tive, originate with a Sovereign, who loves and is the Father of his People.

In my letter of the 5th, Your Excellency was apprized of the great change in political sentiments which the Embargo was operating in Massachusetts. By the papers I now enclose, it will be seen that this change has already produced effects more rapid than I contemplated when I left Boston. That both Senate and House, have become decisively federal, and that they are already adopting resolutions of the most plain and decisive nature. Mr. Jefferson has plunged himself into such a situation, he dare not suspend the Embargo: for though Congress passed a Law to give him a suspending Power he refused his assent to the Act,²⁷ and nothing can be clearer, than that if he does not do the Act away by some means or other it will totally destroy both his influence and that of his party.

[Endorsed:] In Sr. George Prevosts
18 June

V. HOWE TO PREVOST.

Extract of a Letter from Mr. John Howe to His Excellency Lieut. General Sir George Prevost, dated New York 7th June 1808.

On my arrival at New York I found the election for the City had terminated, and unfavorable to the Federal Ticket.²⁸ And though complete returns are not yet made throughout the state, there is reason to think there will be a majority in favor of the Democratic party. Yet it is gratifying to find that the operation of Mr. Jefferson's Embargo measure has not been without great effects here, by the comparatively small majorities with which these Elections have been carried in many districts, and the entire change of sentiments which have been manifested in others. And it is the opinion of well informed men, that if these Elections could have been delayed a month or six weeks, they would have terminated very differently from what they have done. One great and fatal effect on the elections in this city, arises from the immense number of foreigners among them. These men acquire power to Vote after a residence of five years. Among persons of this description are nearly 7000 Irishmen, who tho' many of them have been here but a short time, make no scruple to come forward and swear for each other. Emmet²⁹ is at the head of these men, and is their prime mover and conductor. There is an Irish Society to which they generally belong, one of the rules of which is, that every member on pain of expulsion, shall follow implicitly the political sentiments of the Society. Every days experience shews, that men who will be restless and intriguing under one Government, will be so under every other. A great part of the Intrigues which agitate this country, originate with men whom the Nations of Europe have been compelled to spue out from among them, and wherever they get a footing, they will be a perpetual source of disease to the body politic. Their having obtained footing in this country is openly lamented by the best men here: but they have become so numer-

²⁷ An error. See p. 91, *post*, and note 32.

²⁸ DeWitt Clinton had just carried the city in support of the administration. In the state no election for governor was to take place this year.

²⁹ Thomas Addis Emmet (1764-1827), a brother of Robert Emmet.

ous they do not know how to counteract the mischiefs they are continually effecting. Another evil which has attended their Elections here, has arisen from the following circumstance. When the democratic party a few years ago obtained the ascendancy, they found a number of the Counties so decidedly federal, that they carried a law in the legislature for a new division of Counties, and in this way they mixed where they had a super-abundance of democrats, some of these in the federal districts so as to over balance the party and establish more generally their power, and in order to accomplish this object, they have effected the most unnatural division of counties that could possibly be imagined. I mentioned to your Excellency in my letter by the *Emulous*, that the only measure of a Military nature, which Congress had agreed to, was to raise 6000 Regular Troops, and that recruiting parties were expected at Boston. Since my arrival here, I find that all that has as yet taken place, to carry this measure into effect has been the appointment of the Officers by the President. No Officers have yet come forward to recruit, and it is now very probable that the season will elapse before anything effective is done in the business. Various plans have been projected for fortifying this harbour, but nothing is doing towards it, except some further works which are constructing on Government³⁰ Island, where they intend erecting a block-house. The general opinion here is that all they are doing is a perfect waste of the public money. I visited a few days ago their Navy Yard. I found here the *Constitution* one of their largest and best Frigates. They have been stripping her sides to the water and have again planked her up, and I imagine in two months she may be fit for sea. I am informed by a gentleman on whose information I think I can rely, that when she was paid off here and her Men discharged, there was not twenty American sailors belonging to her, that her whole crew with the exception of a few other foreigners, was entirely composed of british seamen. Besides this frigate there were lying at the Yard two or three Bomb Ketches, and there are also lying there, and in different parts of the harbour about twenty Gun boats, which appear to me much to resemble our Bermuda Cutter-Schooners, though I think them in size and appearance much inferior to them. These Gun boats are a just subject of ridicule to Men of sense of all parties here. There are Cannon in the Navy Yard for the equipment of three or four frigates. There is also in this Yard laid the keel of a 74 Gun ship, but no steps are taken for her completion. About 100 Marines were under Arms, and exhibited a very soldierly appearance. The Fort on Governor's Island has a garrison of about 60 continental Soldiers, and this is everything of an established Military nature to be found here. Several Regiments of Militia have at times been under Arms since my arrival here, and a company of Light horse. These have been dressed in Uniforms and appear in better order than any Military Exhibitions I have seen in any other part of the States. In the gaudiness of their Uniforms, and in their manner they have a wonderful disposition to imitate every thing French, and if they have not the military talents of that nation they certainly shew they are not behind hand with them in vain or tinsel quality. The French Privateer which lately took the *Duke of Montrose*' Packet in the West Indies is now here and refitting. She mounts 8 Guns, besides a large Gun in the centre which works on a traverse. Two gentlemen have arrived here

³⁰ Governor's?

from Philadelphia, and entered a prosecution against the Captain for his piratical proceedings, and they have actually succeeded in getting him into Gaol. He has offered Bail, which they have refused to accept, and it is said he must remain in Gaol until their Court sits in November. Several of these french privateers have been lately on their coast, and it would be a gratifying circumstance to the federal party here, if our Cruizers could pick them up. One lately sailed from Philadelphia and was permitted to take away a considerable quantity of flour and other Articles, which are refused to every other nation.

Every step I take in this country, and the various conversations I have had with men of opposite Sentiments in it, convince me more and more that the termination of Mr. Rose's mission without effecting its object was the most fortunate circumstance that could have occurred. My reasons for this opinion are as follows—

1. Had the satisfaction offered by our Government through Mr. Rose have been accepted, and the Embargo in consequence removed, such is the extreme pressure of this measure, it would have been every where received as the greatest boon, and would have added in the greatest degree, to the popularity of the present Administration. It would have insured to Mr. Madison the Election to the Presidency, and the continuance of the same system that is so ruinous to this country, and so injurious to Great Britain. And they shew these propensities in all their public Acts: and they would shew them plainer were they not afraid of the Sovereign people. It is therefore the manifest interest of Great Britain that Mr. Jefferson and his confidential friends should be removed from the Administration of this Government if possible.

2. By the rejection of the satisfaction as tendered by Mr. Rose, Mr. Jefferson and Mr. Madison put their popularity to the test of public opinion. And there was a time in this country when a degree of popularity did attach to this Government for the part it had borne in the negociation. In conversing with Federalists or Democrats, I find a universal accordance in opinion, that in the correspondence between Mr. Rose and Mr. Madison, the strength of the argument on which the point ultimately turned, was with Mr. Madison, and that he had in his reasonings discover[ed] more ability than Mr. Rose. And if our Government could have been persuaded either by Mr. Madison's reasonings, or by his non-importation or Embargo Acts to relinquish the point of honor in question, the pride of all parties here would have been highly gratified. But when the sophistical reasonings of this Government were thrown out of the question, as they have completely done by their favorite measure of the Embargo, which they affirmed would soon bring Great Britain to her senses by starving her Manufactures, and her West India Islands; since it has fully appeared that none of these wonderful effects have been produced by it, the popularity of the Administration has been on the Wane, and it is now nearly reduced to a certainty that Mr. Madison will not be the President. Whatever lack of argument is therefore to be found in Mr. Rose's communications (and I own I think them in several respects very deficient) this ruinous measure is superabundantly supplying. It is that *Argumentum ad hominem* which seizes the man with irresistible force, and bears down all before it. Upwards of 80 houses in this city have already been reduced to bankruptcy by it. 500 Sail of Vessels, the greater part Ships and Brigs, are lying useless by the wharves of this City. The ruin of thousands yet hangs by this de-

structive measure. The Merchant is hourly complaining. The Farmer is complaining. The Mechanic and Labourer is complaining. The Car-men of this City which are a very numerous body are loudly complaining. In short this evil entwines itself around every body, and every body is railing at the Embargo. They have got into a scrape, and they see no way to get out of it. And yet to do the people justice they have borne their sufferings with much philosophy. But if Mr. Jefferson continues this experiment a few Months longer it will to a certainty prevent the Election of Mr. Madison, and introduce at least some change in the present system. And almost any change of them would be more favorable to Great Britain than the continuance in power of the present rulers. For though I have no opinion of some of the other candidates who are striving for the Presidency, yet if they are brought into power by the pressure of the Embargo on the public feelings, they dare not risk their popularity with the Sovereign people by continuing it. Another reason which would render the introduction of new Men desirable, is that the present men have largely committed to paper their public opinions, and men get so insensibly wedded to opinions once so expressed, that it is difficult to overrule their prejudices. New Men would not labour under that difficulty; and if they were men of sense and political observation, they would not be very desirous of pressing measures which had involved their country in misery, and which measures were predicated as doctrines, which our Government have again and again declared to be inadmissible. Should a change of men and measures take place in this country, and which their present sufferings render highly probable, I do not conceive that any material injury would occur in adjusting the very point on which Mr. Rose parted with this Government. For it seems to me that this might be done by letting our disavowal of the affairs of the *Chesapeake*, and the withdrawing the President's proclamation take place at the same time precisely. And that an idea of this kind occurred to Mr. Madison, is evident, by the following Extract from his correspondence with Mr. Rose, where he says, "But adhering to the moderation by which he has been invariably guided, and anxious to rescue the two nations from the circumstances under which an abortive issue to your Mission necessarily places them, he has authorized me in the event of your disclosing the terms of reparation, which you believe will be satisfactory, and on its appearing that they are so, to consider this evidence of the justice of His Britannic Majesty as a pledge for an effectual interposition with respect to all the abuses against a recurrence of which the Proclamation was meant to provide, and to proceed to concert with you a revocation of that Act, bearing the *same date with the Act of reparation* to which the United States are entitled". And I am fully of opinion, that such a change is operating on the public mind here, as will in a few Months lead to such a change of Men and measures, as will render a reconciliation between Great Britain and this country easily attainable upon the footing of that perfect self respect which alone can render a reconciliation permanent or desirable. There is no Man who reads attentively the numerous charges brought by Mr. Madison in his correspondence with Mr. Rose, and the insolent pretensions urged, not only in that correspondence, but in all the public papers, which have come from the pen of Mr. Madison, but must be convinced that no real reconciliation could have taken place even if Mr. Rose had accomplished the particular object of his

Mission. Never was there a measure of our Government more deserving of the thanks of the nation, than the late proclamation, declaring His Majesty's determination to take our Seamen from Merchant Vessels, whenever we can find them. And this determination neither Mr. Madison or Mr. Jefferson will ever forgive. It has at once struck at all their insidious reasonings on this important subject, and stripped them of the means of injuring our Naval Strength, which their servile accordance with the Wishes of Bonaparte, has led them unceasingly to rush to accomplish. It was a great pleasure to me as I traversed the New England States, to find a general disposition to relinquish these pretensions, and to admit the justice of the reasons, on which our Government reclaims its subjects. At Salem particularly I not only found them acquiescing in our right, but they assured me, they had entered upon a practice corresponding with it, by refusing to take any of our Seamen in their Vessels. For when they had done it, they had been frequently been taken out by our cruizers, and their Voyages thereby marred. As therefore they knew they had no real claim to the services of these Men and as they had suffered a real injury by taking them, they were determined to confine their crews, to their own people.

I find many here who do not pretend to deny our right, but who would have been highly gratified if Mr. Madison's sophistry on this important subject could have prevailed. A subject of so much importance that I sincerely hope that our Government will never again suffer it to be brought into discussion. This leads me to another reason why Mr. Rose's mission is of benefit to the nation.

3. While the negotiation was pending, there were in this state and the other Southern States thousands of British Seamen whose services were lost to their country: And they would have continued lost to their country, if the negociations had succeeded. For this Government never would in sincerity have lent its aid for the recovery of them. Since the Embargo which has thrown them out of employ, they are getting away from this country in every Vessel they can, to His Majesty's dominions, and I am convinced, if the Embargo continues Six Months longer very few of them will be found in this country. As an attention to this important subject was recommended to me by your Excellency in consequence of a Letter from Capt. Douglas, I shall make a separate communication to your Excellency, in which I shall point out the best means that have occurred to me, for giving facility to this object.³¹

4 This country has long both rulers and people entertained an idea, that Great Britain and her Colonies, particularly her West India Colonies, could not do without them. And so fully was Mr. Jefferson possessed with that idea, that he conceived his foolish embargo measure, would inflict such an injury on us, as would soon compel our Government, to give up the order relative to seamen, the respective orders, founded on the Milan decree to punish without enquiry any of our Officers whose conduct they saw fit to call in question, and in short that it would compel the nation to relinquish its sovereignty on the Sea, and to become as contemptible as they would delight in rendering her. In this expectation, and to co-operate as far as they dared with Bonaparte, in his attempts to destroy the Commerce of England this Embargo was laid. That these were the manifest intentions of this Government, every man of sense here readily admits. But every mischief Mr. Jef-

³¹ See no. VI., *post*.

person calculated, as it respected Great Britain, has been averted, and the whole pressure of this mighty evil is every day operating with increased effect on this devoted Country, and will each day bring its effects closer home to him and his coadjutors.

In our happy Colony of Nova Scotia, and our neighbouring colonies, we have been long complaining, that our fisheries were injured by giving to these people the free intercourse they had with our West India Islands. We have constantly affirmed, that as far as respected fish, our settlements and those of Newfoundland could furnish all that was necessary. These people have denied this, and our West India Planters, have joined in the clamour. This Embargo is giving an opportunity to try the experiment, and I have no doubt, but the exertions of our Fishermen, and Merchants will prove what we have contended for to be correct.

They appear much mortified here, when I tell them, that we consider the Embargo a great blessing in Nova Scotia, and that we think the Bill should have been entitled "An Act for the better encouragement of the British Colonies in America".

They frequently ask me very anxiously, if I do not think her Government will soon be induced to take off the restrictive decrees, if our Manufactures are not suffering very severely, if we are not starving for Flour in the West Indies. I assure them very gravely that our Manufacturers have new sources open to them in the trade to the Brazils, St Domingo and other Channels which our Navy is continually opening, that the restrictive decrees will not be removed as long as the cause exists which produced them, that flour is flowing in every day, not only for our own wants but for exportation, That I am convinced our Government will give them no interruption, and that they will be left as long as they please to amuse themselves with their Philosophical Embargo Experiment. They are becoming every day more and more convinced that Great Britain and her possessions can and will do without them. That though it is confessed they take off a considerable quantity of our Manufactures, yet that the raw Materials we have been accustomed to take in return, we can procure elsewhere; and if by a long continuance of the Embargo, we all [are] compelled to seek to other countries for them, it may so alter the course of trade in these respects, as to make it very doubtful if it will ever again return to the same channel. Their Southern Cotton, which found so excellent a Market in Great Britain, and the Sales of which was making such rapid fortunes to the Planters in Georgia and the States contiguous, would not a few days ago produce at Auction Ten cents per pound, when the Merchants here assure me, before the Embargo it found in the City a ready sale at 24. The prices of all Articles we have been accustomed to take from them, are reduced in nearly the same ratio. Besides the injury the Embargo is daily heaping on this deluded people, all the accounts received here from the French Islands shew that they are reduced to extreme distress for want of provisions. At Guadeloupe flour was 90 dollars a barrel and hardly to be procured at that. So that the measure which was to ruin England, turns out a source of great and universal affliction to all Mr. Jefferson's dear friends whom he intended should be benefited by it. There is no doubt now entertained by any person here, but if they knew how to effect it, their Government would be glad to get rid of it. Congress passed a Law to empower the Presi-

dent to suspend this Act. It had been generally supposed that the President had refused his assent to this Act—he had hesitated about it, but it now appears he finally agreed to it; and the day I closed my last letter to Your Excellency it first made its appearance.³² But this Act is not calculated to remove the difficulty, as the power to suspend the Embargo Laws rests solely on the previous removal of the restrictive decrees of England and France. And sincerely do I hope that no step will be taken by our Government to help Mr. Jefferson out of this difficulty. Our Government can at present do nothing better than to look quietly on, and let Mr. Jefferson pursue his own measures until he is tired of them. And if his patience should not be very soon exhausted I am convinced his *masters, the people*, will at no great distance of time satisfy him that they will not bear such extreme and useless sufferings with impunity. While I express a wish that our Government may take no step to remove Mr. Jefferson's present difficulties, I at the same time hope, that no new cause of irritation will take place on our part, and that our Cruizers, instead of going to the extent of their orders, may discover as much forbearance as the good of the service will possibly admit of. Any more irritation on our part is the only thing that could revive the dying popularity of Mr. Jefferson's measures. If we remain quiet, and his Embargo continues much longer, all will end right at last. It may take some time to remove the disease, but I am convinced the cure will be more radical.

5. The failure of Mr. Rose's Mission has also had the beneficial effect, to give a fair trial of what the people of this country are very fond of boasting of, which is *their Republican Virtue*. And the result of the trial has been to prove it *the Virtue of a Strumpet*, and that Gold, Imperial gold, will with the utmost facility procure the Lady's favors at any time. Congress had no sooner passed the first Embargo Law, than it was evaded. Another and another Law was passed to supply the deficiency of the first, and to prevent its being evaded.³³ Since Congress rose, Mr. Jefferson has found all these Laws ineffectual to restrain the Trade, and he has been issuing out, one angry regulation after another, and sending them to the Collectors, in some of which he has assumed powers which the Constitution does not give him. As the Embargo Laws have had no effect, and his regulations as little, he has at last sent the *Wasp*, with a detachment of Troops to Passamaquaddy, and he has ordered out portions of the Militia on the frontiers of Canada. But all he can do will not keep the Republican Lady honest. Upwards of 50,000 barrels of Flour have been sent away from this City since the Embargo took place. And I am convinced that either here, or in any part of the Union, it would be easy to contract with individuals to furnish anything the country produces, and to send it where it might be necessary. Since the King's last Order in Council, which had only been published here a few days ago,³⁴ a Sloop laden with Flour came down the North River in the Night, passed boldly by their Gun Boats, and got to sea, intending to go to our Islands in the West Indies.

In addition to the foregoing observations, I would turn your Excellency's attention to a letter of Mr. Jefferson to the Democratic society of Philadelphia, which you will find in the Evening Post of June 7th.³⁵

³² Act of April 22, 1808.

³³ See note 19, above.

³⁴ See note 21, above.

³⁵ Letter of May 25, 1808. *Jefferson's Writings*. " Memorial " edition. XVI. 303.

It is deserving of Notice on several accounts. This democratic Society sent him an Address more than three Months ago, and he has neglected to answer it. But as Congress was not now sitting, and there was no call for him to communicate his sentiments on the present state of things, he has taken this mode to do it. He admits in his exordium that they have fallen into sad times, *times which require vigilance and embarrass deliberation*. These words express a great deal, and shew clearly that the President has fallen into a predicament, from which he does not know how to extricate himself—and this is exactly the situation in which he is placed. After lamenting the defective Virtue of a great part of the Citizens, he hints obscurely at War, but don't intimate with whom, but the language he makes use of has excited the warmest indignation of the Federal party. Your Excellency will perceive some indignant remarks in the paper of the 7th and it will not end here for these remarks will soon be followed by others still more severe. Mr. Jefferson in this Letter also talks of encouraging Manufacturers, as another Tub to the Whale, and to shew that he would injure Great Britain if he could. But all his experiments will not answer. The people are universally becoming tired of them. If he has War in view, he will find the country generally adverse to it. He has let the time go past when he might have plunged them into it, And by destroying the Revenue of the Country as he is doing by the Embargo he is daily diminishing their means to go to War.

[Endorsed:] In S^r G. Prevosts

18 June

VI. HOWE TO PREVOST.

[Copy]

NEW YORK 7th June 1808.

Sir,

In consequence of the letter which Captain Douglas put into Your Excellency's hands, on the recovery of British Seamen from this Country, and your request that I would consider it among the objects recommended to my attention, I lost no time on my arrival here, in conversing with the British Consul on the subject. I found that he had procured passages for a number of these Men, who had made application to him. He also mentioned that Mr. Erskine had recommended this subject to his attention immediately after the Embargo took place; that finding these men generally more or less in debt at their Lodgings, and having no means of paying those debts, he had written to Mr. Erskine to know how this expence was to be defrayed, and that Mr. Erskine had expressed himself unable to give him any satisfaction on the subject.

This led me to converse with Mr. Moore, the British Agent of Packets, who has given orders to the Captain of this Packet³⁶ to receive on board about Sixteen of these People; and if any means could have been sanctioned by Government to enable Mr. Moore to pay the debts of others who applied, none of which would have exceeded five pounds, and the greater part not three, I am convinced more than double the number might now have been sent.

If these men are got from this Country in merchantmen, they do not

³⁶ The *Queen Charlotte*, according to a marginal note in the original.

go into the King's Service as might be wished; but if they could be got away in Packets, the Admiral would have an immediate controul over them. I find Mr. Moore zealously disposed to serve Government in this business; and if Sir John Warrenst would authorize him while the Embargo continues, to keep one or two Runners among the Tipling Houses here and enable him to pay the small debts of these people, I am convinced it would lead to the only effectual mode of accomplishing this business.

It would also be desirable that Sir John Warren should make some arrangement with the Captains of the Packets as they arrive at Halifax, on their way here, that there may be no impediment thrown in the way by them.

If Sir John Warren will communicate his wishes fully on this subject to Mr. Moore, I am convinced that Gentleman's zeal for the Service will lead him to enter with much industry into every measure which can lead to the attainment of this desirable object.

I have the honor to be

Yr. Excellency's

Most Obedient humble Servant

[Signed] JOHN HOWE

His Excellency

Sir George Prevost Bart:

[Endorsed:] Copy of a letter from
Mr. John Howe Post
Master of Halifax to
Lieut. Sir George Prevost Bt.
dated New York the 7th June 1808.

No. 3

In Sr G. Prevosts

19 June 1808

VII. HOWE TO PREVOST.

PHILADELPHIA, 22d June, 1808

Sir,

After closing my Letters to your Excellency by the *Queen Charlotte* Packet, I proceeded to the State of New Jersey, through which I progressed by very short Stages to this City. I had been led at New-York to suppose I should find the Inhabitants of New-Jersey very generally Democratic, which has been their Character for several years. But I was pleased to find, on mixing with them, that Mr. Jefferson's present measures, had excited great disgust, even in this State, and that whole Districts have so changed from Democracy to Federalism, that a strong hope is entertained by the Federalists, that their Election this year, will terminate in favor of Federal Candidates. What strengthens this hope, is, that their Elections do not take place until September, which will give to the Country more fatal experience of the destructive measures their Government is pursuing. And what will also have a powerful effect is, that throughout New-Jersey, and indeed every part of the Country, there is an appearance of excellent Crops of

st Rear-Admiral Sir John Borlase Warren, commanding on the North American station.

Grain, which if the Embargo continues, they will find no Sale for; and this in addition to the great Quantities of last year's Crop now on hand, excites a very strong sensation. For among all the Republican virtues I find in exercise in this Country, the Love of Money is by far the most predominant. On my arrival in Philadelphia, I found them bussily employed canvassing for the Election of State-Officers. In order to have an effect on these Elections, Duane the Editor of the *Aurora*, is seizing every circumstance that offers, which can in the least excite irritation against Great Britain; and among other predominant measures for this purpose, this Man, who is a Major in the Militia, has with some other violent partizans, induced a few companies of the Militia, the greater part of which are composed of Irishmen, to turn out this day, to celebrate the Battle of Monmouth, and the attack on the *Chesapeake*.²⁸ These Companies proceeded this Morning in Boats to Frankford, to exhibit there a Sham Fight, in which the British Troops are supposed to be defeated. This Celebration is a Counterpart to the Burial of the Bones at New-York. But it is by all discreet, well-disposed persons here (and this body I am happy to say is very numerous) looked upon with disgust. Federalism has greatly increased in this State; and there is strong reason to hope that Mr. Ross, the Federal Candidate, will be chosen Governor.²⁹ Their Elections in this State do not take place until October; and this is looked upon here as a very favorable circumstance, as the operation of the Embargo, will, before that time greatly strengthen the hands of the opposers of Government. All accounts from Washington agree in the opinion, that the Embargo will not be relaxed, but continued with all the vigour the Government can exert to enforce it. Mr. Jefferson, and the Heads of Departments are now convened at Washington. Mr. Gallatin, who had been at New-York, went through this City two days ago, on his Route to Washington. And Mr. Erskine, with whom I dined yesterday, informs me he shall proceed to Washington in Ten or Twelve days. He is anxiously waiting here the arrival of his Dispatches by the May Packet; and should they arrive within a few days, he will, in that case, proceed immediately to Washington. Nothing of National Consequence has turned up here, since the close of Mr. Rose's Mission; and so completely did every thing relating to that Mission terminate with him, that Mr. Moore, the Agent of Packets at New-York, informed me, that the Government Dispatches directed to Mr. Rose, which arrived after his Departure, he had, by a direction sent to him by Mr. Rose on leaving the Country, returned to England, instead of forwarding them to Mr. Erskine. I shall proceed through the Lower States of the Delaware, to-morrow, on my way to Baltimore, and finally, to Washington. I expect to meet Mr. Erskine, previous to my return to Halifax, either at Baltimore or Washington. The *Osage* is hourly expected with dispatches from England; and as the May Packet is expected also to bring Dispatches of importance, and which may lead to some decisive point, I shall endeavor to linger here, until I can bring to your Excellency some decisive opinion on the politics of the respective Countries. I have found Mr. Erskine very pleas-

²⁸ The affair of the *Chesapeake* and *Leopard* had occurred on June 22, 1807, the battle of Monmouth Court-house on June 28, 1778.

²⁹ In the election of 1808 James Ross was for the third time unsuccessful as Federalist candidate for the governorship of Pennsylvania; Simon Snyder, Democrat, was chosen.

ant and communicative. And I trust it will be in my power, on my return, to afford your Excellency every species of information, that can elucidate the politics of this Country, or any possible bearing they can have on the politics of Great Britain or her Dependencies.

On my first interview with Mr. Erskine, I found with him Mr. Nichol, a Gentleman, who had arrived from Upper Canada, with Letters from Governor Gore,⁴⁰ complaining of a most violent attack made on Boats belonging to the Michilimakinac Company, by Order of the American Collector in that District. I have since formed an acquaintance with Mr. Nichol, whom I find a sensible intelligent Man. He has, at my request, written me a Letter containing the particulars of this very extraordinary transaction, which I enclose for your Excellency's information. He has dated the Letter as if it had been sent from Niagara to me.

In addition to the Letter from Governor Gore, which Mr. Nichol brought with him, Mr. Erskine yesterday informed me, that he had just received a very pointed Letter from Sir James Craig on this important Subject. Mr. Erskine had an interview with Mr. Gallatin as he passed through this City, and urged that the Boats and their Cargoes should be immediately given up to the Company on Bonds, to wait the decision of the two Governments. This Mr. Gallatin did not think himself authorised to do, and Mr. Nichol is obliged to wait an Answer from Washington, which Mr. Erskine is daily expecting. This circumstance, among others, makes Mr. Erskine anxious to get to Washington; and if the Packet should not arrive in a reasonable time, he will set out without waiting for his dispatches.

I have had much conversation both with Mr. Erskine and Mr. Bond the British Consul here,⁴¹ on the subject of British Seamen. Mr. Erskine, as I mentioned to your Excellency, in my Letter by the *Queen Charlotte*, had some time since written to Col. Barclay⁴² on the subject, and he appears to me anxious that our Seamen should, if possible, be got out of this Country. I hope on my return to this City, I shall, if not before, receive an answer to my Letter to your Excellency on this Subject. Mr. Bond the Consul here appears to me to possess much ability and zeal to forward His Majesty's Service in this or any other respect, and will endeavor to seize every opportunity to effect this desirable object. He will, I am convinced, zealously attend to any suggestion, that may be made to him, by your Excellency or Sir John Warren, on this, or any other subject.

I visited a few days ago Fort Mifflin, which commands the entrance to this Harbour.⁴³ It appears in very indifferent repair—has Twenty-nine 32 Pounders mounted, and 4 small Mortars. The Angles of the Fort against which the operations of the *Vigilant* were directed in the

⁴⁰ Francis Gore, lieutenant-governor of Upper Canada, under Sir James H. Craig as governor-general.

⁴¹ Phineas Bond, whose earlier correspondence with the Foreign Office was printed in the *Annual Report* of the American Historical Association for 1896, vol. I.

⁴² Thomas Barclay, British consul-general in New York.

⁴³ This work is described as follows in the report of the Secretary of War mentioned above, note 17: "A regular, inclosed work, with batteries, magazines, and barracks, principally erected in the years 1798, 1799, and 1800, and now in a good state of defence."

American War, still shew very plainly the effects of her well-directed fire. The Garrison of this Fort consists of a Captain, two Lieutenants and 70 Men. All the repairs of the Fort are done by its small Garrison, who complain exceedingly of the niggardly economy of their Government. It would require a large Sum of Money and several hundred Men, for some months to put this Fort into even tolerable repair. Except a few Gun Boats, there is no other Military Establishment here.

Your Excellency will perceive in the Philadelphia Papers enclosed, the Trial of an American Captain here, for an Assault on the French Consul, and on the Commander of a French Privateer. This Prosecution was carried on by the Government, in consequence of an application from the French Ambassador. Mr. Dallas the States Attorney," endeavored to operate on the fears of the Jury, by setting before them the dreadful consequences of offending the Great Napoleon. The decision of the Jury, shewed that they did not participate either in the fears or the wishes of their Government. They acquitted the American of the Assault on the French Consul, and threw on him the Damages. The Assault on the Captain of the Privateer, being acknowledged by the American he was fined 100 dollars for a Breach of the Peace: and this Sum was instantly collected by the Spectators of the Trial. The general feeling on this occasion, was very clearly manifested, not to be in favor either of French influence or of French domination.

As the political aspect of this Country is every day changing, and I think changing for the better, I shall reserve what I shall have further to say on the politics of this State until I return from Baltimore. The Politics of this State are very essential, as it possesses great influence on the adjoining States. The wealth of the inhabitants of this City is very great, and a great proportion of the people are men of the most orderly and quiet habits. The Embargo has produced no failures here of any consequence, though great injury is sustained, and many of its inhabitants subjected to much suffering.

I have the Honor to be

Your Excellency's Most obedient

Humble Servant

JOHN HOWE.

Original.

VIII. HOWE TO PREVOST.

(Copy)

NEW YORK August 5th, 1808

Sir,

After forwarding my Letter to Your Excellency of June 22d, I left Philadelphia and proceeded for Baltimore, where I arrived on the 25th. The rapidity with which this City has risen within the last twelve years, to wealth and consequence is really astonishing. The credit of the British Merchant, the benefits of that Trade to India, which Jay's Treaty secured to them, and the adroitness and enterprize with which they have seized all the advantages which the destructive War that has so long afflicted the World presented to them, will soon render this City, as a Commercial one, superior to any to the Southward, except New York. I was therefore induced to tarry here until the 4th July. I found a number of excellent characters here, and who appreciate as they ought, the Commercial benefits they derived from their connection with Great

"Alexander James Dallas.

Britain. But I am sorry to say, this is by no means the general feeling. Enmity to our Nation has here arisen to a great and bitter height. I was induced to remain here the 4th July, the Anniversary of their independence, as I was informed there would be a great Military exhibition. Upwards of Three thousand Men were under arms, dressed in Uniforms, and made by far the best Military Appearance, I have seen in this Country. There were among them five Troops of Horse, and several Artillery Companies, which appeared very much to advantage. On enquiry I found that the whole of these Men had been clothed and organized, since the affair of the *Leopard* and *Chesapeake*. The great zeal and frenzy which that unfortunate circumstance occasioned, has been very assiduously kept alive here by two Irish Printers, who possess as much zealous enmity to Great Britain, as Duane, the Printer of the *Aurora*, without his ability. To counteract the Mischief of these Men, and to bring the Public mind once more to a rational view of the benefits to be derived from a friendly intercourse with Great Britain, a Society of Gentlemen have established a Federal Paper, which commenced while I was at Baltimore, and appears to be conducted with so much ability and determined opposition to Mr. Jefferson and the present order of things, that I have no doubt, the most beneficial consequences will finally result. But so deep a hold has the democratic disorder generally taken here, it will require a long course of suffering and reasoning to effect any Material cure. I left Baltimore on the 5th July, and arrived the same evening at Washington. In the Morning after viewing the Capital, which is in a most unfinished state, and exhibits the greatest waste of Public Money, I proceeded with a Gentleman to view their Dock Yard. This I found on a much more extensive Scale than I had imagined, and filled with good and convenient buildings of all sorts. I found lying at this Yard eight Frigates, *vis.* The *United States* of 44 Guns, the *Essex* of 40, the *John Adams*, *New York*, *Constellation*, *Adams*, *Boston*, and *Charleston* of upwards of 30 Guns each. The *United States* had just undergone a thorough repair and hauled off. The *Adams* Frigate had had her upper works repaired, and was lying keel out, for the purpose of coppering. The *Essex* Frigate had had her sides new planked, and by what I could learn from the Superintendent, it was intended to overhaul and repair seven of these Frigates. The *Boston* was so rotten, she was deemed irreparable. There is also here a fine Brig of 18 Brass Guns. I was mortified to find that the Superintendent of this Yard was an Englishman by the name of Fox, who had served his time at Plymouth, And one of the most ingenious Men I found in this Yard, was also a Scotsman, who had been completing a Model of a Dry dock. Observing a number of men in the Yard, I enquired of the Superintendent, how many were employed—to my astonishment he told me upwards of 500. It would seem by so large a number being employed, a considerable part of which had lately been taken in, that it was intended to repair immediately all these Frigates that may be found repairable; for what purpose a little time must shew. These ships will all need much repair, for they have been left for Years, without covering, rotting and renting [?] with the Sun; for while these People are perpetually talking of Republican Economy (another boasted Republican Virtue), I think I never saw a more profligate waste of Public Money than all the Public Works in this City afford. A number of Gun boats are building in this Yard, though every sensible man, and their own Naval

Officers are continually ridiculing them, as totally unfit for any defensive purpose.

I brought with me a Letter from Philadelphia to a Gentleman at Washington, through whom I expected to have been introduced to Mr. Jefferson; but unfortunately the Gentleman had gone the day before to Alexandria; and as I was anxious to complete my route to the Southward, I thought it not prudent to wait to seek an introduction to him in some other way. Indeed I expected on my return, to have found Mr. Erskine at Washington, in which case I should have gone again to that City. On my leaving Washington, I proceeded to George Town and spent a day about 3 Miles from George Town. I found a Cannon Foundry on an extensive Scale, and I was again mortified to find that this also was carried on by an Englishman of the name of Foxhall. He is completing a contract [for] Cannon for the States, and both his Brass and Iron Guns appeared to me extremely well executed. The day before my arrival at Washington, the 4th of July had been celebrated there; I met on the road to Washington, a Company of Flying Artillery, which had gone up from the Fort at Baltimore, to exhibit before the President. This Company belongs to the Continental Army, and appeared in good order. The President had a great Levy on the 4th July, and as another Tub to the Whale, he had on a Homespun Coat. To hear the Talk about this Coat at Washington and Georgetown would lead to the supposition, that these silly people supposed there was a sort of magic in it, which would work the ruin of the Manufacturers of Great Britain; and I am sorry to say that almost every person, contiguous to the Presidential Palace, and who learn their Sentiments there, most devoutly and ardently wish her destruction. Before I left Georges Town I learnt by the Newspaper, that the *Osage* had arrived; and I determined to proceed to Alexandria, which was only 12 Miles from Washington, and wait there, 'till the Messenger arrived at Washington. The evening of the Second day after my arrival at Alexandria, a Gentleman came on from Washington, who had spent the day after the arrival of Mr. Lewis there with the dispatches. He had had a conversation with Mr. Madison who assured him, that both England and France discovered no disposition to do them Justice, and that therefore the Embargo would continue as before.

Nothing could exceed the public disappointment at Alexandria, where every one had been looking for something decisive by this ship. A Schooner has since been sent to France and England to keep up the same farce, and amuse if possible, the public Mind. I received much attention from Mr. Patten the British Consul at Alexandria, to whom I communicated Capt. Douglas's wish respecting Seamen. He assured me, and on inspection of the Wharves, I found it to be true that there was scarcely twenty Seamen to be found in the place. He said if the Embargo was off, it would take a great length of time to collect Seamen to man the Vessels which are lying ruining by the Wharves. Since the astonishing prosperity of Baltimore, the Trade of Alexandria has fallen off much, although, except Norfolk it is the best Seaport in Virginia. I found a number of valuable people here, but the General Politics are the same as are every where to be found in Virginia. After leaving Alexandria I proceeded to Fredericksburg, and spent a day there. This City suffered much by a fire which took place about a Year ago, which destroyed nearly one half of it. Its Inhabitants may be reckoned among

the hottest Democrats in this State. My next excursion was to Richmond the Capital of Virginia, here though Politics run extremely high, I had much conversation with some of the best informed men in this State. They assure me the Election of President, being by General Ticket in that State, and not by districts, that Mr. Madison will have every vote. If it had been by districts, Mr. Munro might have divided the Votes in some degree. Their opinion of Mr. Jefferson is, that he is a man of talent and of much address, but that he [is] totally devoid of principle, and so attached to France, that nothing can induce him to hold an equal conduct to both Countries. Of Mr. Madison they think better as a Man, but that he is too closely attached to the same Politics with the President, to expect any change of system, if he should be chosen; and that he will succeed in every state to the Southward of Pennsylvania I am afraid is certain. I have in my route had so much opportunity of ascertaining the Sentiments of North and South Carolina and Georgia, that I am afraid the Federalists deceive themselves, in expecting any support from them. They are suffering extremely by the Embargo; but it will require much suffering to open the eyes of these southern People, who have the most bitter enmity to Great Britain, and a large proportion of whom are very unprincipled. I next proceeded by way of York Town to Hampton, at which place nothing occurred worth notice. From Hampton I took Packet and went over to Norfolk, where I arrived in two hours, and had soon the pleasure of an interview with Colonel Hamilton, the British Consul, by whom I have been entertained in the most hospitable manner. I remained four days in this Place and had an opportunity of mixing much with its Inhabitants. They are in general very warm in their enmity to Great Britain, and like the Mass of Virginians would be gratified at her destruction. But notwithstanding this there are a number of valuable Persons here, who are supporting a Federal Paper, which is laboring with considerable ability to correct the Public Mind, and is I am persuaded gaining ground. The irritation occasioned by the attack on the *Chesapeake* is in some measure wearing off, though it is a continual subject of conversation. The public mind has been kept much inflamed by an Irish printer of the name of O'Connor, who like his Brethren at Baltimore, is laboring to keep up, if possible, the enmity to Great Britain. They are suffering much from the Embargo here; though with all their Patriotism they are watching every opportunity to violate it. The day I left Norfolk, one of their Captains returned from Kingston, Jamaica. This man I had much conversation with. He sailed in a Brig from George Town, with 1,600 Barrels of Flour, cleared out for New Orleans—he said he had met with such bad weather, that he lost both Masts, and had his Rudder unshipped; but very *providentially*, he met with a British Man of War, which took him in tow, and carried him into Kingston. Here he had very *providentially* sold his Flour from 20 to 25 Dollars, and finding his Vessel very rotten, he had got her condemned, and sold her there, and so had wound up the whole concern. He was now on his way to George Town with a long protest, to clear himself of the bonds he had given at the Custom house there; and if they can be persuaded that all these *providential disasters* befel him, he will be off again to Jamaica in six weeks. Besides all the other evils to this Country occasioned by the Embargo, it leads to a continual Violation of Oaths, and to a profligacy of habits, the effects of which, will finally be severely felt in this Country.

I left Norfolk and proceeded up the Chesapeake Bay by Water to Baltimore, where I arrived on the 21st and learnt from Mr. Wood the Consul, who had been at Washington, with Mr. Erskine, that Mr. Erskine had returned with him to Baltimore, and had two days before gone on to Philadelphia. In consequence of which after spending two days at Baltimore, I proceeded to Philadelphia where I arrived on the afternoon of the 24th. On the 25th I dined with Mr. Erskine, and had a long conference with him on the present aspect of affairs. On enquiring of Mr. Erskine the nature of the communications by the *Osage*, and the effects that would be produced by them, I was astonished to learn, that after that ship had been in England some days, and our Government finding no communication made to it by the American Ambassador, that Mr. Canning applied to Mr. Pinckney to know, when he would be ready to make such communication. His answer was he had no communication to make. Mr. Canning with much surprize said, that this ship had been looked for with much anxiety, and that His Majesty's Ministers, alive to the situation of the two Countries, were perfectly disposed to enter into any discussions which could relieve the present embarrassments, and then with much emphasis, asked Mr. Pinckney "Have you received no dispatches which bear on the present situation of the two Countries, and will you not, in consequence, have any communication to make to this Government?" His answer was, "I have received no such dispatches, nor shall I in consequence have any communication to make." And from the day of her arrival to the day of her departure, no communication was made.

Notwithstanding this important fact the Government here, have been holding out most basely, the idea that remonstrance had been made to both England and France, and that both had alike rejected them. The Truth of the case has at length got before the Public and is producing the best effects. This Government, when Mr. Erskine was at Washington, were much disappointed to find, he had nothing from our Government to lay before them. They enquired if he had nothing to submit to them on the affair of the *Chesapeake*? He answered, nothing. They assumed a haughty tone on the occasion, and even threatened him with rupture, if satisfaction on this point was much longer delayed. And Mr. Erskine's mind is strongly impressed with the belief that Mr. Jefferson actually contemplates, and wishes a War with Great Britain, and that an attack on Canada and Nova Scotia, makes a part of his Plan. That Mr. Jefferson, and his Cabinet, wish a War with Great Britain, and that they would delight in the annihilation of the British Nation, I have seen too much evidence since I have been in this Country, for a moment to doubt. But that he can carry his wishes into effect, I much doubt, unless some new subject of irritation, should arise between our two Nations; and I am inclined to think, if Mr. Erskine's ideas are correct, as to his determination to go to War with us, that he will seek such a subject, either through his cruisers, which he has sent out to protect the Embargo Laws, or on the Boundaries of Canada or Passamaquady. For that he cannot, without some new subject of irritation excite generally a War Spirit in this Country at present, I am perfectly satisfied. And I therefore sincerely hope, that while we give every facility to the introduction of their produce, that prudent men will be stationed at those different point[s] of contact, that his hopes and expectations may, in this respect, be defeated. I had much satisfaction in this last inter-

view with Mr. Erskine, and was happy to find as far as respects the present Rulers of this Country, and their unprincipled enmity to Great Britain, there was between us no difference of opinion. When I went to the Southward of Pennsylvania, I proceeded in the hope, that in the ensuing election of President, I should find, at least, so much division of interest, as would throw a part of the Southern Votes into the Scale with the Middle and Northern States, as would prevent the Election of Mr. Madison. But since my Southern excursion, I am convinced that no confidence can be placed on any votes against Mr. Madison to the Southward of Pennsylvania. There is every where to the Southward a gradual Change of public opinion taking place, but it is too gradual to be reckoned upon in the present Election. At Pennsylvania they are engaged in a warm contest, and great expectation is entertained that the issue will be Federal. There is also a great change taken place in the Jerseys, but the issue is still doubtful. In New York, I believe they will generally vote for Clinton, and I believe it would be better that he should succeed than Madison, as it would at least lead to some change of System relative to Commerce; and this State is so highly a Commercial one, that it has a deeper interest in the renewal of Trade than any other State in the Union. Mr. Jefferson considers the Election of Madison as certain; for besides calculating on the Southern interest, which for the reasons I have mentioned, I think he is not mistaken in, he boasted to Mr. Erskine, that Governor Sullivan would negative the whole proceedings of the State of Massachusetts in the Choice of Electors, and so throw that State out of the Scale altogether in the Choice of President.⁴⁸ Both Mr. Erskine and myself are at present, for these reasons inclined to think that Madison will proceed, and if he does, it will be a source of mischief to both Countries.

The Accounts which have been received of the late opposition of the Spanish Nation to the tyranny of Bonaparte, have produced much good effect here; and whether the Spaniards succeed in their exertions in Europe or not it will certainly enable Great Britain to establish the Independence of South America, and furnish that employment to our manufactures, which the suspension of the Trade of this Country has in some measure occasioned. It has already had the effect on all parties here, to convince them their Embargo must now be useless—and they are very eagerly hankering after a Trade with South America. This resolution will also have another very good effect. It will put an end to the expectations of the intriguers in this Country, who have all had their projects for the subjugation of the Spanish possessions. And if the friendly intercourse of our Government, and that of South America should be established on a durable footing, South America may be made to form a Barrier between the future scheme of these Southern intriguers. Several French Armed Vessels are now in these States—a Brig at Washington, two Schooners at Philadelphia, and two at Charleston. It would be very desirable, on two accounts, if our Cruisers could pick them up. One is the injury they do to our Commerce, and another is the detection of the baseness of this Government which winks at their going away loaded with Flour and Provisions. The exposure of their hypocrisy is of much benefit here.

Recruiting parties are now parading every City in these States for raising the 6000 Men: but with all their exertions the business goes on

⁴⁸ See Amory's *Life of Sullivan*, II. 300–303.

very slowly. But if Mr. Jefferson does not succeed in raising this Army, the appointment of the Officers is answering his purpose almost as well. The Commissions are all given away for the purpose of promoting Mr. Madisons Election, and not a Man except of the Democratic Party can obtain them. I was pleased even in Virginia, where I first heard of Duanne's appointment,⁴⁶ to find that all parties were loath to believe it. They thought such an appointment disgraceful to the Army, but he was too necessary a Man in promoting the present Election to be neglected.

I stated to your Excellency in my Philadelphia Letter the attack which had been made on the Boats of the Michiliamakinac Company. Mr. Erskine acquaints me they have been given up with the furs, on bonds, subject to future investigation.

It was my intention to return to Halifax in this Packet; but some Letters I found here from Boston, have led me to think it best to go by way of Boston, as it will enable me to possess Persons there, in whom I can confide, of some facts in which the Northern States are interested, and be a means of increasing the laudible zeal they are discovering in opposition to the base designs of their Government. And I am thoroughly convinced baser Men never administered the affairs of any Country. My return by way of Boston, I do not expect will delay my arrival in Halifax more than a Week after the Packet; when in addition to what I have written, I shall have much verbally to communicate to Your Excellency; and if my excursion shall have tended in the smallest degree to the Service of His Majesty's Government, I shall be highly gratified.

I have the honor to be
Your Excellency's
Most obedient
humble Servant
[Sigd:] JOHN HOWE

To His Excellency
Sir George Prevost
etc, etc, etc.
[Endorsed:] Copy of a Letter from
Mr. Howe, to
Sir Geo. Prevost
dated at New York
the 5th Augt. 1808.
In Sr. G. Prevosts 25 Aug. 1808.

⁴⁶ President Jefferson appointed William Duane lieutenant-colonel of riflemen, July 8, 1808.

(To be continued.)

REVIEWS OF BOOKS

BOOKS OF GENERAL AND ANCIENT HISTORY

The Encyclopædia Britannica: a Dictionary of Arts, Sciences, Literature and General Information. Eleventh edition. [In twenty-eight volumes and an index.] (Cambridge, England: University Press. 1910, 1911.)

EVER since the *Encyclopædia Britannica*, at its first reprinting, in 1777, broadened its scope to take in history and biography, the advent of every new edition has been an event of moment to students of history. With each successive edition the historical spirit of the work has become more marked. In 1875 its editor, Professor Baynes, in his preface to the ninth edition, announced its purpose to deal with all subjects from a critical and historical point of view; and the critic and historian who later succeeded to his task, Professor Robertson Smith, was yet more thorough in carrying it out. The "tenth edition", as everybody knows, was only the ninth with a supplement. Its somewhat more statistical and journalistic character may have seemed but incident to the mode of its publication, or perhaps to its management by the *London Times*. But it was from among its compilers that the editor of the eleventh edition, Mr. Hugh Chisholm, was chosen; and the prospectuses which now for months have been flooding us all have prepared us for its much greater expansion of the historical features.

The completed work, now with the exception of the index in all hands, more than bears out these claims. The historical articles are enlarged, multiplied, extended to ages and lands not heretofore counted within the scope of history. Biographical titles are many fold more numerous; and contemporaries are no longer excluded. Nay, all historical narrative, hitherto broken off at a safe distance from the present, is now brought down to the very eve of the year of grace in which we live. Geographical entries rival those of the gazetteers in number and far surpass them in wealth of information. Multitudinous short articles on episodes, institutions, ideas, customs, phrases, justify the subtitle in adding "general information" to the old "arts, sciences and literature". When an article is introduced only to tell us of "Ankle" that it is akin to *angulus* and means the joint which connects the foot with the leg, one wonders what even the dictionary is longer for. In short, the work has become, like the German cyclopaedias, a "conversation lexicon", and the American man of affairs, who was wont to rail at it because it did not answer the questions suggested by his business or his newspaper, will now find it more garrulous than its most versatile

American rivals—aye, devoting more space than they even to American towns and American notables.

But it is not the interests of the man of affairs alone that have been consulted. The student of culture history will rejoice in the larger space given to the story of the arts and sciences. The lover of the court chronicle and of drum and trumpet is so far from despised that dynastic genealogy and the historic peerage receive increased attention, and distinct monographs by military experts cater to the interest in battle and campaign. Indeed, if one have the heart still to be dissatisfied, he will grumble rather at the preference shown the heroes of war and of destruction at the cost of those of peace and good will. Knipperdollinck gets a column, while Castellio has not even a mention. But even the new *Britannica* has limits, and oversights there needs must be. The sciences auxiliary to history come in for generous space—Diplomatic, hitherto dismissed with a paragraph, fills now a half-dozen pages.

Surely all this warrants the claim of the editor's introduction that, "as a work of reference no less than as a work for reading and study, its preparation has been dominated throughout by the historical point of view"; and the student of history will not fail in gratitude. If he be an American, he will surely welcome, as a wise concession to the practical instinct of his people, what has not inaptly been called the "Americanization" of the work. But, if he be a true scholar, he must ask whether all this has been gained without cost to those high qualities which have made the *Encyclopædia Britannica* so long the pride of the whole English-speaking world. Is the new edition as largely the signed work of trained and recognized scholars? Are these so largely as hitherto the most eminent in their respective fields? Have the articles retained from earlier editions deserved to be so, and have they been thoroughly revised by their authors or by specialists as eminent as they? Are the unsigned articles worthy of their place beside the signed; the short, so multiplied in this edition, of their place beside the long?

Thus tested, the new *Britannica* will not be found above all criticism; and, though it would be presumptuous for any one student to venture a verdict upon the whole body of its historical work, it can hardly be rash to assume that defects which reveal themselves to the careful study of even a single student are more or less characteristic of the whole. A glance through the list of contributors might indeed appall the boldest critic. It is a portentous array of the scholarship of Great Britain and her colonies, with a notable sprinkling from the Continent and from America. France contributes Duchesne and Luchaire, Bémont and Esmein, Longnon and Valois, Pfister and Poupardin, Alphandéry and Thomas, Prinet and Wiriath; Germany, Eduard Meyer in ancient history, Hashagen in modern, Hauck and Mirbt, Kraus and Pastor, in that of the Church; Belgium, Father Delehaye; Holland, De Goeje; Bohemia, Count Lützow; Servia, Mijatovich; Russia still fur-

nishes Prince Kropotkin; Italy, Luigi Villari to take his father's place. From America, apart from American themes, which naturally fall in great part to Americans, the number in history is not large; but they are well chosen, and Americans may well be proud of the importance of their assignments and the quality of their output—the magistral article on Feudalism by Professor Adams, Professor Robinson's on the Reformation, masterly in its reach and grasp, Professor Knox's fine survey of Christianity and Professor McGiffert's of the early Church, Professor Jastrow's contributions on Oriental antiquities and Professor Botsford's on classical, and the sound work of that group of younger scholars led by Professor Rockwell, to whom has been so largely entrusted the history of the popes. To Professor Shotwell, for a time an assistant editor, falls the article on History itself, and its learning and eloquence will be appreciated even by those who do not wholly share his breadth of view. Nor will any historian be seriously shocked by his breezy article on the Middle Ages, which he essays to prove a myth—though it is a pity to ascribe the myth to Flavio Biondo, whose is neither the phrase nor the thought, and who, though his history does begin with Alaric instead of the Creation and was interrupted by death before he had brought it quite to his own time, dispatches in his first pages the fall of Rome that all the rest may be devoted (and almost in the spirit of Professor Shotwell) to “the beginnings of new cities and the honor of most surpassing peoples”, for whose rise he counts the fall of Rome a providential thing.

That scholars thus enlisted in other lands are such as have proved their fitness for the tasks to be entrusted to them hardly needs the saying; but the British contributors, too, though some great names are wanting where they might be looked for, have been selected with much care. Most commendable is the acumen which now and again has detected the special training for a special study of some scholar known as yet to but a narrow circle; and not less commendable the wisdom which has retained from earlier editions the work of scholars in whose field no peer was to be found. Not a few, indeed, of the most eminent names belong to those whose contributions are wholly of this sort; and not all were still among the living to revise their work. Revision, however, in all cases there has been; and, when entrusted to a scholar of like training, it seems well done. Yet even then it is not easy to be patient with what confuses authorship and vitiates integrity of style. It has been the peculiar glory of the *Britannica* that its articles were literature as well as learning. Learning can be patched, but literature bleeds when it is cut. Mark Pattison's Erasmus could have been put into no happier hands than those of Mr. P. S. Allen, to whose studies the changes in our knowledge are so largely due. He has left it, as he found it, a charming essay; yet one dares to wonder if the world might not have been the gainer if to Mr. Pattison intact in the ninth edition were added Mr. Allen unhampered in the eleventh.

But, if such doubt attach to emendation even by a master, whose appended initials suggest and justify the double authorship, what shall be said of that revision which without a sign, or with none that reassures, foists its amendments on another's work? And herein lies the very gist of what must qualify the praise due to the new *Britannica*. More even than the penuriousness of publishers, the besetting danger of encyclopaedias has been the omniscience of their editors. The "respect for anything in books" has had no better illustration than in their readiness to correct or to compile an article on the most unfamiliar or recondite theme. How many a scholar has shuddered, when the published work has reached his hands, to find inserted into his articles by editorial zeal the very errors which he had counted it his highest service to discard; or, if spared this, has found them reappearing in the unsigned articles now elbowing his own. It is to meet such dangers, doubtless, that it has become the growing habit of cyclopaedias on both sides of the sea to distribute editorial responsibility among a corps of eminent scholars drawn from different fields of learning. Such a body of "advisers" aided the editor of the new *Britannica*; but History had the fortune to be the field of the editor's own study, and Mr. Walter Alison Phillips, whom he associated with himself as chief assistant editor, was one of the most vigorous of the younger English historians. To aid them they gathered, on either side of the Atlantic, a group of other young scholars, all undoubtedly men of training and promise. But neither Mr. Chisholm nor Mr. Phillips was known to the world of readers by work in any period save the most modern; their colleagues were scarcely known at all. Each in the field of his own preparation was doubtless admirably fitted for such duties as a cyclopaedia may wisely commit to unproved pens; but for the revision of old articles or the writing of new no training and no promise can to the users of a cyclopaedia take the place of that proved special knowledge which alone can give authority. Yet to the pens of these, it must be feared, must be ascribed not only most of the revision, but the great mass of the unsigned articles, historical, biographical, geographical.

Let it at once be admitted that in these there is much good work, and that, as such work goes, the average is high. But there is much, too, which is simple compilation, and compilation from the most accessible sources. In the geographical articles history is so second to description that perhaps the guide-book information which sometimes creeps into them should hardly give offense; but for biography there should be a higher standard. That other cyclopaedias and biographical dictionaries should be frankly used and frankly quoted is of course to be commended; but that, for such a work, research should stop with these is a sad pity. Doubtless it is only a lapse of pen which can describe Ambrogio Traversari as a "French ecclesiastic", for the writer shows clear knowledge of the sources; but of what use to revise the article on Aleandro with neither mention or knowledge of those pub-

lications by which Balan and Brieger, Paquier and Kalkoff, have now first made accessible his papers and revealed the details of his career? Why write of Georg Agricola in ignorance of Hofmann's monograph, or of Schwenkfeld with no mention of the great new *Corpus* of his works? What shall be thought of a revision which in the article on Alva can still leave Egmont and Horn "leaders of the Protestants" or in that on Agrippa change "the abbot Trithemius of Würzburg" to "Trithemius, abbot of Würzburg", or can leave Capito intimate with "divines of the Socinian school" while Socinus was yet unborn? Why, if there must be an article on one and but one of the wretched authors of the *Witch-Hammer*, not turn to those studies of Hansen which have first learned something about them and have taught us that Sprenger was not the chief? More serious is it still when to such editorial assistants are assigned important articles for which a special student might easily be found. Surely, if there was one life for which such help was within reach, it was that of "Joan of Arc", on which in English we have the noble studies of Mr. Lowell and of Mr. Lang. Perhaps it was precisely these which made the task seem easy; for the initials attached to the *Britannica's* sketch are those of editors, including those of Mr. Chisholm himself, whose share, if one may guess from what appears, was perhaps only to verify it by Mr. Lang's just-published work. Closer study shows the article but a revision, sadly needed, of the ninth edition's, long passages of which remain untouched. Some errors are removed—and some are added. Could Mr. Lang himself have been induced to undertake it, he surely would never have begun by putting Domremy "in the Vosges" or wasting time over the futile (and now happily obsolete) dispute over Jeanne's name; or, doing so, could not have so misunderstood the very point at issue as to make it turn on the fifteenth-century use of the apostrophe (then not yet invented) or of a capital (while yet duke of Orleans and king of England regularly appear as Dorleans and Dangleterre), or have supposed the act of ennoblement extant in its original or its spelling beyond question. Nor (to skip all between) could he have ended the article without a mention of the newer sources, now about to be gathered into a volume supplementary to Quicherat's collection.

The severest test of British works dealing with general history has long been to examine the portions relating to Germany. But there have been most encouraging exceptions; and of late such work as Mr. Armstrong's and that of the writers in the *Cambridge Modern History* has been of better omen. Surely in this galaxy of scholars one could have been found for the *Britannica's* article; or, if any period had as yet no special student, help could have been sought on the Continent, as has so fruitfully been done for the articles on France, Italy, the papacy. But Germany falls instead into editorial hands, and chiefly to a young scholar scarcely known as yet to print. As a first attempt in a difficult field his sketch is not disgraceful, and it well may be a pre-

lude to achievements worth the while; but it is far from the ripe work to be expected on such a subject in the *Encyclopædia Britannica*, and both its text and the somewhat chaotic bibliography at its end abound in misconceptions and inadequacies.

The most daring of the staff is indisputably Mr. Phillips. With a temerity almost appalling he ranges over nearly the whole field of European history, political, social, ecclesiastical, now astonishing us by the keenness of his fresh research, now perpetuating some venerable error. Whether such work be keen or careless is, however, little to the point: the grievance is that it lacks authority. This, too—this reliance on editorial energy instead of on ripe special learning—may, alas, be also counted an “Americanizing”; for certainly nothing has so cheapened the scholarship of our American encyclopaedias. But it is an Americanizing which few Americans will welcome.

For the future there is one great reassurance. Now and henceforward the *Britannica* is under the care of the University of Cambridge. That transfer came too late to be of serious moment to the eleventh edition; but it may well mean everything to those which follow. May it hasten the day when it shall be the editor's function to select its authors and to aid them, but not to do their work. There is, indeed, much short of that for editors to do. The weakest thing about the new *Britannica* is the inadequacy of its bibliographies. The most important source, the latest or the foremost monograph, the best book in English, go often unmentioned. Writing, as scholars must often do, at a distance from great libraries with their bibliographical aids, such oversights are easy. They are no trifle, to writer or to reader; and a vigorous young scholarship at the editorial desk might do much to remedy the evil. Great irregularity, too, prevails in the citation of titles and in the description of books. More vexatious still are the misprints to be found on almost every page, especially in proper names and in passages from foreign tongues. How many of these are to be ascribed to the American impression alone—thanks to the law which requires the type to be reset on this side of the sea—the reviewer can not guess; but surely here was work for an American editor at least.

To compare with the new *Britannica* any other in English speech is clearly idle. Though in occasional articles it may be surpassed by others, its vast bulk would of itself ensure its greater fullness. There is, indeed, in all the world only a single fellow—the French *Grande Encyclopédie* (1886-1903). Compared with this huge product of French scholarship its British rival falls short in size, containing but from two-thirds to three-fourths as many words; and he would be rash who should presume to rate the history in the French work—till his death under the masterly editorship of Arthur Giry—lower than that of the British. But in literary charm and readableness, at least, and yet more in all that goes to make up beauty of dress, the new *Encyclopædia Britannica* is without a peer. Even its maps, which so long lagged be-

hind those of Continental publishers, are now a joy alike to mind and eye. Those printed wholly in black are, it is true, sometimes obscure through wealth of detail or through the blurring of natural features by names; but those printed in colors, and especially those which color the rivers as well as the relief, leave nothing to desire. Whatever its defects, the new edition is a matter for pride. Its advent is a notable step toward the good day when the learning and the art of all the world shall be enlisted for the creation of that international work which alone can be a really faithful mirror of advancing knowledge.

GEORGE L. BURR.

Hérodote et la Religion de l'Égypte: Comparaison des Données d'Hérodote avec les Données Égyptiennes. Par CAMILLE SOURDILLE, Ancien Élève de l'École Normale Supérieure et de l'École Pratique des Hautes Études, Professeur Agrégé de l'Université. (Paris: Ernest Leroux. 1910. Pp. xvi, 419.)

La Durée et l'Étendue du Voyage d'Hérodote en Égypte. Par CAMILLE SOURDILLE [etc., as above]. (Paris: Ernest Leroux. 1910. Pp. 259.)

THIRTY years ago the prevalent method of studying Egyptian religion was to begin with the data and the ideas regarding it furnished by Greek and Roman authors, and having built up a system from such sources, then to proceed with the older Egyptian documents, employing them merely to fill up gaps, to furnish illustrations, and to brighten with contemporary detail what would otherwise have been a rather meagre outline. Such was the method by which Brugsch produced his *Religion und Mythologie der alten Aegypter*. It was such a method as this, which enabled the older generation of scholars to discover primitive monotheism on the Nile, as well as elsewhere in the East. Its futility was long ago recognized, but we have as yet made but a very small beginning toward the exhaustion of the old native sources properly employed.

The larger of M. Sourdille's two books mentioned above is a sober and careful effort to determine just what value we should attribute to the account of the religion of Egypt in the middle of the fifth century B. C. furnished us by Herodotus, the earliest Greek traveller on the Nile who has left us his impressions. This question, while it may seem to be a purely literary one, is of far-reaching historical importance. The imposing *mêlée* of thought and religion from the most remote and racially divergent sources, with which the historian is confronted as he surveys the Mediterranean world at the beginning of our era, was not a little influenced and modified by the current which constantly flowed into it from the Nile. What was the character of this stream of influence from Egypt? Can we suppose that the religion of Egypt, as revealed to us in old native sources long antedating Greek civiliza-

tion, passed out unalloyed into that Mediterranean world? For reasons based on language alone this supposition is impossible. It has long been evident to your reviewer, that it was the religion of Egypt as viewed, interpreted, and apprehended by generations of Greeks, it was this Hellenized composite of old Egyptian religion and Greek preconceptions which passed out into the Mediterranean world to make Isis a household word in Rome, and give her a sanctuary even in such a provincial city as Pompeii. The same thing happened to Christianity. It was not the Christianity of Judea in the first decades after the crucifixion which conquered the Roman world.

It is from this point of view that M. Sourdille's book is written. He desires to tap the stream of Hellenized Egyptian religion as near its source as possible, and Herodotus furnishes the best opportunity. The author's method, followed with the greatest conscientiousness, is to collect all the scattered statements of Herodotus on any one particular god, temple, feast, custom, etc., and having analyzed and then pieced these together, to compare the view of Herodotus thus gained, with the facts as discernible in native Egyptian sources. In places the Greek historian suffers somewhat unjustly by this method. The age when he visited Egypt, some seventy-five years after the Persian conquest, has left us so few monuments that we can not reconstruct from native sources the religious conditions which he found. Our native sources belonged to an age many centuries older, or to the later period of the Ptolemies. These last have not been thoroughly studied as yet. Undoubtedly they represent, more than any native sources, the religion of Egypt as Herodotus saw it. It is evident also that M. Sourdille does not deal with the native sources at first hand. He depends upon the Egyptologists, chiefly Maspero, but he has been most conscientious in his effort to array the whole mass of modern research, and, properly sifted, to bring it to bear at every point. Occasional misunderstandings have inevitably resulted. The hieroglyphic original of the Greek "*Harmakhis*" does not mean "*Horus of the two Horizons*", which rendering is an old misunderstanding, but should be rendered "*Horus in [that is, 'dwelling in'] the Horizon*" (p. 57). Again the god "*Soutikhou*" (p. 105) or "*Sutekh*" of the Hyksos is in name identical with Set, the old writing of which is "*Setesh*", showing a softening of the heavy guttural "*h*" (kh) at the end to "*sh*". Our author's incredulity regarding the identity of the Phoenix of Herodotus with the Egyptian Benu, which is found as early as the Pyramid Texts, seems to your reviewer hardly justified (p. 198). The reference to Memphis as the capital of Lower Egypt (p. 389) is doubtless an inadvertence. While the author's researches suffer somewhat, because based upon available Egyptological studies of the older native sources—studies which must be regarded as only preliminary and still more or less in their infancy—nevertheless his verdict on the account of Egyptian religion given by Herodotus will in your reviewer's judgment stand as

final. It is summed up in the last sentence in the book (p. 401): "Bref, malgré les nombreuses lacunes de l'exposé, malgré ses fréquentes contradictions, il est possible d'affirmer que la religion attribuée par Hérodote aux Égyptiens n'a été, à aucun moment de l'histoire, une religion strictement égyptienne." We cannot leave M. Sourdille's book without a word of hearty felicitation to him on the success with which he has applied his patient, careful, exhaustive method of inductive research, combined with clear, penetrating, and incisive insight into the materials brought together. He has given us the ablest book yet put forth on these aspects of Herodotus.

The smaller of the two volumes is clearly a kind of by-product of M. Sourdille's valuable study of Herodotus and the religion of Egypt. The question studied is of special importance as related to his larger volume. His conclusion that Herodotus made but a short stay in Egypt, probably less than four months, and that this period fell within the season of inundation from August on, is highly probable, if not demonstrable. The author's explanation of the preposterous account of the topography and geography of Upper Egypt given by Herodotus, is less happy. The Greek historian states that the mountain chain on the east side of the Nile, which he calls the "mountain of Arabia", diverges to the Red Sea, so that four days' journey above Heliopolis the valley again widens. It is perhaps a question whether his account of the mountain explains his impression regarding the widening of the valley, but his statement of this widening is unequivocal. The facts are of course quite the reverse. One widely accepted explanation of the error is that Herodotus did not make the voyage of Upper Egypt, and that he has fabricated his account of that voyage, putting together such facts as he could glean by inquiry. It is a fact, as he himself betrays it, that he was inquiring about the sources of the Nile at Sais. M. Sourdille's explanation of the Greek historian's strange mistake is that he did not make the voyage up the river itself, but sailed up the Bahr Yusuf, a channel far to the west of the Nile, which leaves the main river (or a canal from it) below Siut and flows into the Fayum. Our author is under a false impression regarding this channel. He calls it a "canal" (p. 252), but it is not an artificial channel. It is a natural branch of the Nile, which winds its way northward through the valley as no irrigation canal ever does. A stream less suited for a rapid voyage up the Nile valley could not be conceived. It winds so excessively and continuously that the itinerary proposed by M. Sourdille for Herodotus would, in point of time consumed, be quite impossible. Herodotus's false impression regarding the shape of the upper valley cannot be explained by carrying him up this channel. When we contrast the shrewd observations of the Greek traveller regarding the Nile Delta, with his confused account of the valley above, one cannot but regard it as somewhat doubtful whether a man with his capacity for observa-

tion could have voyaged up the Nile at all. The book is however an excellent study of the geography of Egypt as presented by Herodotus.

JAMES HENRY BREASTED.

Palestine and its Transformation. By ELLSWORTH HUNTINGTON, Assistant Professor of Geography in Yale University. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xvii, 443.)

THIS important book records in popular form the results of the Yale Expedition to Palestine in 1909. The author had previously travelled extensively in Central Asia, Asia Minor, Persia, and India. These journeys had led him to adopt certain theories as to changes of climate and their relations to history. Palestine seemed to him to present a unique field for the testing of these theories. For a number of months he thoroughly explored the land "in a series of circuits and zig-zags" which enabled him to see "at least a sample of each of the varied geographic types which nature has thrown together in this unique little country". "Two co-ordinated subjects", he tells us, "form the theme of this volume, topography and climate. The first half of the book is devoted to a description of the appearance and form of Palestine and to a consideration of the manner in which the peculiar geological structure of the country has given rise to certain strongly marked [national] characteristics, whose influence can be traced through history. The second half deals with the climate of the country, or, more specifically, with the changes to which climate has been subject" (p. 6).

The title of the volume refers directly to the second subject. By "the transformation of Palestine" Professor Huntington means to indicate the conditions under which a land once fertile and densely populated has become comparatively barren and sparsely peopled. But the two themes interpenetrate. In the topographical part many concrete instances are given which later serve as illustrations of the second or main thesis. For example, he notes at Aujeh in Southern Palestine the ruins of a once prosperous Graeco-Roman town, with colonnaded streets, baths, churches, etc. He shows that, whereas this town probably supported a population of ten thousand souls in the fifth century A. D., many of the modern Arabs who sparsely inhabit the district round about are genuinely hungry for months each year. He concludes that this change in condition is due to a diminution in the rainfall. He holds, however, that the changes of climate during historic times have not been radical, pointing out that a change in two or three degrees Fahrenheit in the mean annual temperature of Palestine, with corresponding changes in precipitation and evaporation, would have a marked effect on the habitability of the land. Of the three hypotheses, any one of which might conceivably account for the alteration in climate—that of deforestation, that of progressive change, that of pulsatory change—he adopts the last. He maintains that the three great eras of world-history are synchronous with three pulsations

of climate. At the end of each pulsation, the rainfall is supposed to have decreased, only to increase again in the next. But each wave is held to rise less high than the last, so that in the third era, which is still in progress, the rainfall will never reach the point it reached in the first two eras. In support of this thesis he brings to bear a wealth of material, meteorological, geological, geographical, historical, and archaeological. The force of his arguments however, in both sections, is occasionally weakened by sweeping statements which are not justified by the available data. Here and there the data are moulded to suit the argument. But on the whole the material is used in a scientific manner.

Mr. Huntington travelled in Palestine as a geographer, but to him the land was ever the Holy Land. Moreover he is happily not afraid to express his enthusiasm for striking scenery. His personal experiences, though never obtruded, are charmingly woven into the text whenever they may serve as real illustrations.

FREDERICK JONES BLISS.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Manuel d'Art Byzantin. Par CHARLES DIEHL, Professeur à la Faculté des Lettres de l'Université de Paris. (Paris: Alphonse Picard et Fils. 1910. Pp. xi, 837.)

For years M. Diehl has been known as one of the half-dozen prominent Byzantinists, yet one opens his book with some misgiving. Five years ago, at the first International Archaeological Congress in Athens, Byzantine archaeologists discussed whether the time had arrived for a synthetic statement as to Byzantine art, and the feeling was that there was still too little consensus of opinion as to its limits, its character, and its origin, too little of scholarly analysis and classification of its monuments. Since the congress, however, more discoveries have been made in this field than in the preceding century. New artistic schools have been disclosed. Every year has brought illuminating material or startling hypotheses, for much of which the Austrian critic Strzygowski is responsible. This activity has made the writing of Diehl's book possible. As he says, it is rather a history than a manual: the first attempt at a history of Byzantine art, though another French scholar, Millet, has recently given some important chapters to this subject in the monumental history of art edited by Michel.

There can be no question of the thoroughness, scholarship, perspicacity, and constructive ability shown in this book, cloaked in the interesting literary form so peculiar to French writers. It is a very notable contribution to art history, and all the more important because no style of art has been so maligned, misunderstood, and ignored.

The preliminary chapters on the origin and formation of Byzantine

art show the author to be a convert to Strzygowski's theories which attribute to it an Oriental origin, to the complete exclusion of Roman influence. The elements contributed by Hellenistic and native Syria, by Egypt, and by Asia Minor, recently brought to light, are carefully studied, with the added influence of Persia, and these are all found to focus on Constantinople during the fifth and sixth centuries, in such a way as to justify giving the title "Byzantine" to the finished art of the Christian East. A large part, it must be noted, is assigned to the Hellenistic art of Alexandria. As this theory as to origin and constituent elements is fundamental and pervasive, I cannot but register my belief that the opposition to Roman art as a factor in the situation is so far-fetched and unhistorical that it is not likely to survive. Byzantium as the direct heir of Rome received from her imperial art, and not directly from Hellenic art, her Alexandrian, Anatolian, and Syrian elements, which had already become incorporated in pagan Roman art. Diehl ignores Rivoira's proofs of the architectural dependence on Rome, which undermine the theories he upholds as regards domical construction, building plans, and other fundamental features.

We reach firm ground in the description of St. Sophia, which marks the golden age, almost at the moment when the new art first reached unity. The rich polychromy which henceforth ruled became the keynote of Byzantine art. Aside from figured sculpture, which was soon *taboo*, every conceivable form of art was developed. Far more wealth was expended on it than in Europe during the Middle Ages. The luxury and lavishness of Constantinople were unequalled. The descriptions of the imperial palaces, their decoration and contents, make it possible to partially reconstruct the scheme. The industrial arts were especially rich: tapestries, rugs, embroideries, silk stuffs, ivories, enamels, illuminations, gold and silver work, bronzes, cameos, were produced in enormous quantities. Their portability and beauty made the spread of the influence of this style in Europe quite easy by means of commerce.

The regions where Byzantine art may be regarded as indigenous are Armenia and Georgia, Asia Minor, Palestine, and part of maritime Syria, Greece, and the Hellenic provinces of Turkey in Europe, even including Slavic Serbia, and, at one time, Russia. Venice was once almost purely Byzantine territory, and Sicily was strongly influenced at the same time. Domical architecture even penetrated as far as central France, and Germany was affected under the Othos and Henrys, especially in her minor arts—illuminated manuscripts, enamels, gold and silver work. In fact it is difficult to say where the influence ceased because it often took the form of inspiration, leading the arts of Western Europe to new fields of self-expression. Undoubtedly in the choice and development of the themes of Christian art, the Orient furnished at one time or another a majority of the ideas and subjects.

In view of the common opinion that Byzantine art was as immobile as that of Egypt, it is interesting to see how M. Diehl's careful analysis

discloses not only contemporary variations in different provinces, but distinctions of style and ideas at certain periods. After the decay following the century of Justinian (sixth), came the change brought about by the Iconoclastic persecution which brought into play fresh decorative ideas (eighth century). Under the Macedonian dynasty in the ninth century art entered on a second golden age that endured through the next century, with a marked return to antique beauty and models and a unification of architecture under a single domical type, with a tendency toward the Greek cross in plan and far greater slenderness of proportions, picturesqueness, and exterior polychromy. These peculiarities were further developed in the period of the Comneni (twelfth century). It was also now (tenth to thirteenth century) that Byzantine art exercised its widest influence outside its own domains, assisting in the great movement of art in Europe, dominating, especially, the revival of painting in Italy. One of the most novel features is the demonstration that even after the capture of Constantinople in 1204 and the disruption of the Empire by the Crusaders, Byzantine painting had a final burst of beauty during the fourteenth century corresponding in naturalism and charm with the contemporary Giottesque and Siennese schools.

There seems to have been no phase or branch of his theme that M. Diehl has not treated here with extraordinary thoroughness.

A. L. FROTHINGHAM.

Les Chrétientés Celtiques. Par Dom LOUIS GOUGAUD, Bénédictin de Saint-Michel de Farnborough. (Paris: Victor Lecoffre. 1911. Pp. xxxv, 410.)

DOM GOUGAUD's name is well known to students of the Celtic Church by his articles on the subject which have appeared in the *Revue Bénédictine* and elsewhere, and in this, his capital work, which forms one of the volumes of the *Bibliothèque de l'Enseignement de l'Histoire Ecclésiastique*, he has given us the most complete, and at the same time a most succinct, account of the historical evolution, the origin and growth of the Christian Church in the different parts of the Celtic world. The appearance of the book at this moment is particularly happy when the best-known essays on the subject, namely, Zimmer's brilliant and erudite, though not always reliable, articles on the Celtic Church in Britain and Ireland (*Realencyclopädie*, X., 1901; English translation by Miss A. Meyer, London, 1902) and the same author on Medieval Irish Culture (*Preussische Jahrbücher*, 1887; English translation by J. E. Edmonds, New York, 1891) are, in their English dress, reported to be out of print.

The subject treated by Dom Gougaud extends to the close of the eleventh century, when the religious institutions of Celtic Christianity, which in spite of differences had certain characteristics in common, lost their own religious physiognomy. On this period, which constitutes one of the most interesting chapters in the history of Christianity, much has

been written and much remains to be done. In *Les Chrétientés*, Dom Gougaud gives not only his own most valuable opinions but also what was perhaps most needed at the present stage of the study, a compendium of the views of his predecessors. In the case of points which are still *sub judice* the author is content to present the theories that have been advanced without adopting any one of them. The work shows an astonishingly wide acquaintance with the sources and the literature, which is examined with an independent and incisive criticism. As might be expected in a work of such comprehensiveness as the one before us, some phases of the subject are treated with more fulness than others. Especially worthy of notice are the chapters on Pelagianism, the controversies on the Paschal observance, and the tonsure, the origin of monasticism in Ireland and the constitution of the monastery, which reflects in many respects that of the clan; and the chapter on the illuminated manuscripts and the motives of ornamentation is the equal of, if it does not excel, the descriptions to be found in special works on the subject. It is shown conclusively, we think, that, except for the momentary intrusion of the Pelagian doctrines into a part of the Celtic world, the integrity of the Catholic faith was unimpaired, and that, in spite of an original outwardness, lack of organization and authority, which marked it off from that of Rome, the Celtic Church was not at any time dissentient and independent.

The author (p. 262) points to the need of a detailed study of the apocrypha, which enjoyed an especial favor in Ireland, and also (p. 284) of the rich folk-lore material of the Celts for the light it throws on their superstitious credulity. In connection with this subject, we may be permitted to call attention to the curious book of Walter Y. E. Wentz, *The Fairy-faith in Celtic Countries* (Rennes, 1909), which seems to have escaped the notice of the author. On pages 310-312 we find the best account, though brief, of the old, popular Celtic prayers which are most characteristic of the piety of the ancient Celts. The author is undoubtedly justified in limiting his study to the first thousand years of Celtic Christianity, but a history of the religiosity of the Celts would not be complete without some account of their religious songs and dramas and other folk-productions as they are found especially among their most widely separated branches, the Bretons and the Irish, which are still alive and contain elements, both pagan and Christian, peculiar to the race.

The serviceableness of the book is enhanced by the references, which constitute the most complete bibliography we have of the subject, and by the inclusion of three maps of Christian Ireland and Britain and of the extension of the Irish monastic institutions on the Continent, but we regret the absence of an index of subjects, which it remains for each reader to make for himself until the appearance of a new edition of the work.

JOSEPH DUNN.

The Mediaeval Mind: a History of the Development of Thought and Emotion in the Middle Ages. In two volumes. By HENRY OSBORN TAYLOR. (New York: Macmillan Company. 1911. Pp. xv, 613; viii, 589.)

IN the preface to this interesting and valuable work the author states that his purpose is "to follow through the Middle Ages the development of intellectual energy and the growth of emotion. Holding this end in view we . . . shall not stray from our quest after those human qualities which impelled the strivings of mediaeval men and women, informed their imaginations, and moved them to love and tears and pity." But in the development of the subject a narrower view is taken. The author describes as "the supreme mediaeval achievement, the vital appropriation and emotional humanizing of patristic Christianity". He says, "Albertus and Thomas represent the successive stages of one achievement, the greatest in the course of mediaeval thought." "Albert and Thomas embody *par excellence* the intellectual movement of the thirteenth century." "For scholars who follow, as we have tried to, the intellectual and the deeper emotional life of the Middle Ages, the Latin literature yields the incomparably greater part of the material of our study. It has been our home country, from which we have made casual excursions into the vernacular literature." "More profoundly than any vernacular mediaeval literature, the Latin literature of the Middle Ages expresses the mediaeval mind." And yet he considers Dante's work as "the mediaeval synthesis". As these passages indicate, Mr. Taylor does not try to portray the psychology of the average man (an impossible task), but is concerned mainly with the minds of those whom he calls the "arbiters of opinion".

The first book, "the groundwork", describes "the Latinizing of the West, . . . the antique pagan gospel of philosophy and letters, . . . the intellectual interests of the Latin Fathers, . . . the great Latin transmitters, Boëthius, Cassiodorus, Gregory the Great, and Isidore of Seville, . . . the barbaric disruption of the Empire, . . . the qualities and circumstances of the Celts and Teutons, . . . the ways in which Christianity, with the now humbled and degraded antique culture, was presented to this renewed and largely Teutonic barbarism." This introduction is excellent.

The second book, "the early Middle Ages", treats of three subjects: the Carolingian appropriation of the patristic and antique learning, the mental aspects of the eleventh century, and the growth of medieval emotion. The next two books, both entitled, "The ideal and the actual", have as their subtitles, "the saints" and "society". The former discusses monasticism, with St. Bernard and St. Francis in the foreground and Archbishop Rigaud's *Register* to illustrate "the spotted actuality", "the mystic visions of ascetic women", and "the world of Salimbene" —Salimbene among the saints! In the latter, knightly society is the theme, chivalry and courtly love, Parzival, Walther von der Vogelweide,

St. Louis, Froissart, Roland, Tristan, and Lancelot. In addition, there is a chapter on "the heart of Heloise", as an illustration of genuine medieval passion. The next book, "symbolism", is tantalizingly brief; only lengthy quotation could do justice to some of its contents and to the author's sympathetic insight. The sixth book, "Latinity and the Law", deals with the spell of the classics, evolution of Latin prose and verse, and the medieval appropriation of Roman law. The last book, "the ultimate intellectual interests of the twelfth and thirteenth centuries", treats mainly of scholasticism and its great exponents, but also has chapters on Roger Bacon and Dante.

There is little to criticize in the execution of the work as outlined above. Well-selected extracts from the sources, which make up probably one-fifth of the two volumes, furnish valuable illustrations. The translation is well done; but *Podiensis urbis* (II. 176) should be translated the city of Puy and not "some city on the Po". This slip may serve to illustrate the fact that the author is naturally not as well informed on the subjects which only slightly concern his theme, and he occasionally falls into error. For example (I. 523), he states that "as the tenth century passed, fiefs [in France] tended to become hereditary"; the provisions of the Truce of God (I. 529, note) are incorrectly summarized; the *Dictatus* are still ascribed unhesitatingly (I. 245) to Gregory VII. and to the year 1075; twice there is an anachronistic usage of the title "Holy Roman Empire"; the age of Frederick II. is given wrongly (II. 32); the first sentence on page 537 of volume I. contains two errors concerning Godfrey of Bouillon; the author uses (I. 506) the term "markets" where he should have written fairs; etc. But these are matters of minor importance which do not affect the main theme, which is admirably treated.

There is little discussion of heresies, because they "present no continuous evolution like that of the proper scholasticism. Progress in philosophy and theology came through *academic* personages, who at all events laid claims to orthodoxy." The author's point of view also causes him to lay little stress upon the scientific interests of the twelfth and thirteenth centuries, although he does refer to them frequently, especially in discussing Roger Bacon. While he insists upon following the line where the continuity is most clearly evident, he shows, in his chapter on Duns Scotus and Occam, "the scholastic decay" in the fourteenth century. The scientific interests and the political theories of the twelfth and thirteenth centuries, which are scarcely mentioned, were destined to have a future.

The last paragraph voices the disappointment felt in finishing this work. Mr. Taylor is so well equipped for his task! The broad foundation of his learning already proved by his previous volumes and here shown by the mastery of the sources, his knowledge of the secondary works—in the bibliographical notes we have discovered only one real omission: Vinogradoff's *Roman Law in Medieval Europe* is not cited in

chapter 33—his excellent summaries of the views of other men, his good sense and humor so frequently cropping out, his capacity for sympathy, the preface to this book, led us to expect a broader definition of “the mediaeval mind”, a discussion which would have thrown more light upon the rapidly changing society of the twelfth and thirteenth centuries, upon the dissatisfaction with the old conditions and the craving for new knowledge in many fields. He chose and has admirably accomplished a different task; and no student of things medieval can safely neglect this interpretation of the “mediaeval mind”.

DANA CARLETON MUNRO.

A History of Wales, from the Earliest Times to the Edwardian Conquest. By JOHN EDWARD LLOYD, M.A., Professor of History in the University College of North Wales, Bangor. In two volumes. (London and New York: Longmans, Green, and Company. 1911. Pp. xxiv, 1-356; vii, 357-816.)

It is a good while since the history of Wales has been treated on an extensive scale, and this fact alone would make the appearance of Mr. Lloyd's book a matter of some importance. For the past few decades have witnessed considerable activity in the investigation of the language and literature, the archaeology, and the general history of the principality, and some survey of the results has come to be highly desirable. But Mr. Lloyd has produced much more than a mere digest of information and opinion, useful as that would have been; he has written a comprehensive description of medieval Wales and a well-ordered narrative of its development. Beginning with remote matters of geology and ethnology he takes up with some fulness the history of Celtic and Roman Britain, the origins of British Christianity, the course and character of the Saxon conquest, and the relations of the Britons with the later Scandinavian vikings. Then follow extended descriptions of the topography of Wales and of its early legal institutions. Down to the time of the Norman Conquest the method of the book is, from the nature of the material, not so much consecutive narrative as discussion of movements and conditions. But from that point on, the ancient records being much more extensive, the author is able to trace in chronological course, and with much detail, the successive stages of the absorbingly interesting struggle between the Welsh and the English—a struggle which from one point of view meant the gradual loss of Welsh political independence, and from another meant the development of a kind of nationality within the principality. The endless petty quarrels of princes and feudal barons, by reason of which one generation in this turbulent period seems almost a repetition of every other, make the general course of the development somewhat hard to follow, and a compact survey of the whole, say in a final chapter, would have added to the clearness of the narrative, at least for the general reader. But Mr. Lloyd secures a kind of perspective by the device of introductory or closing paragraphs

in many of his chapters, in which he sets forth the salient facts of a period, or of a man's career, and comments on their significance. The details of his story are also managed with skill, and the actors in many cases are well individualized.

Mr. Lloyd's chief interest and his first-hand work seem to be mostly in the later portion of the book, beginning, perhaps, with the account of Welsh topography in chapter VIII. But the earlier chapters are also thoroughly competent and trustworthy. Dealing, as he does in them, very largely with debatable problems and with theories scarcely susceptible of proof, the author has often adopted the plan of presenting alternative opinions. Sometimes, as in the account of the palaeolithic climate (on p. 3) or the exposition of the opposed views of Rhys and Meyer concerning the origin of the Goidels in Wales (on p. 97 ff.), he does not take sides; but again, in dealing with the controversy of Zimmer and Williams on early Welsh Christianity (p. 105), he plants himself almost too squarely on the side of Dr. Williams. In nearly all such cases, however—I say “nearly”, because his statement of the theory of non-Aryan influence on Irish and Welsh syntax (p. 16) seems to me to be an exception—he makes the state of the question clear, and separates matters of fact or of general consent from matters of uncertain interpretation. His state of mind is on the whole so cautious that the reader is surprised, and by no means displeased, by an occasional flight of fancy like that on pages 14–15, where the long-barrow men are credited with an “appearance of mildness which it might not have been safe to presume upon”, and are compared to “the typical collier and *cisteddfodwr*, impulsive and wayward, but susceptible to the influences of music and religion”. Now and then, in the first part of the work, one would be glad of fuller treatment of the subject. Mr. Lloyd does not, in general, discuss problems there elaborately or make new contributions to their solution; and some matters of especial interest, like druidism, are scantily dealt with. The earlier chapters also suffer, in comparison with the later ones, from a disadvantage for which the author himself apologizes in his preface. They were written some time before the body of the book, and it proved practically difficult to bring them quite up to date. The reader is consequently disconcerted here and there by finding opinions stated in the text and retracted or qualified in the foot-notes (see pp. 29 and 30).

But I have mentioned what are mostly trifling defects in a book of high general quality and of much usefulness. Not the least of its excellences, I may add, is the breadth of its survey of all aspects of Welsh life and civilization. Account is steadily taken, for example, of literary material both Welsh and Latin, and both secular and ecclesiastical; and students of the literary history of Wales will find in the work numerous observations which concern them and some detailed discussions of value.

F. N. ROBINSON.

The Speakers of the House of Commons, from the Earliest Times to the Present Day, with a Topographical Description of Westminster at Various Epochs, and a Brief Record of the Principal Constitutional Changes during Seven Centuries. By ARTHUR IRWIN DASENT. (London and New York: John Lane Company. 1911. Pp. xl, 455.)

UNTIL the turn of the century no attempt had been made to trace the development of the office of Speaker of the House of Commons, although the office is nearly as old as that of the Lord Chancellor, and from some aspects quite as important besides being always more in the public eye. Two histories of the chair have been published since 1900. Mr. Dasent, exceptionally well qualified for such an undertaking by reason of his service as senior clerk in the House of Commons, adds a third, and students of English constitutional history are thereby indebted to him for an addition to the growing list of books on Parliament based on ample research. Mr. Dasent is in an environment that makes such research possible under congenial and helpful conditions, and the advantageous conditions under which he worked—at St. Stephen's, in the muniment room at Westminster Abbey, and at the Record Office—as well as the aid he received from Sir Courtenay Ilbert, clerk of the House of Commons, and other of his colleagues of the Commons staff, are frequently evident in his pages and duly acknowledged in his preface.

Manning's *Lives of the Speakers*, published in 1851, would seem to have suggested to Mr. Dasent the task to which he set himself—for it is the Parliamentary and extra-Parliamentary careers of speakers since 1295 that form his chief interest. But while the personal aspect is dominant, and while Mr. Dasent has traced the careers of one hundred and twenty-nine speakers and incidentally added much to English biography, his book has at least four other distinct values. It traces the connection which existed until 1547 between Parliament and Westminster Abbey, of which the only obvious survival to-day is the custom of opening the gate from Dean Yard into Great College Street on the first day of a new session. It identifies the various chambers at Westminster and at Blackfriars, in which the Commons have sat; and it embodies the fullest history of the palace of St. Stephen's that has yet found a place in any history of Parliament. It chronicles the constitutional developments that were contemporary with a speaker's tenure of the chair; and it also notes each evolution in the office of speaker until, half-way through the eighteenth century, in the speakership of Arthur Onslow, it had, except in a few details, reached the plane on which it stands to-day.

Mr. Dasent has thus worked to five distinct ends, and incidentally he has added to what has hitherto been known of the Rolls of Parliament and the Journals of the House of Commons. He has also supplemented what is already in print concerning the date when members of the two

political parties grouped themselves to the right and left of the speaker's chair. Wherever Mr. Dasent is concerned with the topography of the immediate neighborhood of St. Stephen's, and where he goes a little further afield to Soho and Blackfriars, he adds interest and value to his pages, notwithstanding occasional digressions into present architecture, which, in view of the rapidity with which the face of London is changing, may have lost their point long before *The Speakers of the House of Commons* ceases to be of value to readers and students. There are one hundred and two illustrations. Eighty of them are of speakers. Of the others a map of Westminster, as Speaker Onslow knew it in 1740, is likely to be the most serviceable to students of the history of England in the eighteenth century.

E. P.

The Dawn of Modern England, being a History of the Reformation in England, 1509-1525. By CARLOS B. LUMSDEN. (London: Longmans, Green, and Company. 1910. Pp. 303.)

No writing of history is ever final. Even though no new material comes to light, the emphasis in history changes and the interpretation has thus to be adjusted to an altered *Zeitgeist*. This readjustment is especially necessary for periods full of party strife. Few would maintain that the history of the French Revolution has yet been written on lines destined to prove permanent. This is equally true of the Protestant Reformation and any attempt to rewrite it should be welcomed. The spirit of the present day lays emphasis upon the social consequences of religious movements and takes slight account of dogma. We find in the volume under review, written from the Roman Catholic standpoint, this spirit much in evidence. There is almost nothing about the theology of the Reformation; the author has always in mind the social results of the great change.

It must be admitted that the tone of the book is not wholly admirable. The author tilts against the Protestant assailants of his church and shows them scant courtesy.

Their statements about the teaching of the Catholic Church are such that the veriest little Catholic child would be competent to teach them the truth—though to teach them courtesy and charity would be an impossible task to anyone. . . . Misrepresentation has ever been a favourite weapon of Protestant controversialists, whether they write under the guise of history or not (pp. 183, 214).

No doubt some Protestant writers have assumed too much. We are reminded here that the Bible was freely translated and circulated before the Reformation. Principal Lindsay, whose work is far removed in spirit from that of the present author, has described the large number of translations in use in Germany before Luther and it must be regarded as one of the mysteries of history that Luther should not have seen a complete copy of the Bible until he entered the convent at Erfurt. Mr.

Lumsden makes another strong point. Not the sixteenth but the fifteenth century gave birth to some of the greatest movements of modern times. It saw the invention of printing, the discovery of America and of a sea route to India; it developed a great humanist revival; it has a magnificent record in art. The sixteenth century merely carried on what the fifteenth began, so that Mr. Lumsden can, with some exultation, proclaim that it was not the Protestant Reformation in the latter century which produced these great changes.

To him indeed the Protestant Reformation brought almost unmixed evil. It was the expression of the individualistic tendency of the age. Commerce was growing individualistic and the lust to become rich caused its leaders to break away from the restraints of corporate guild life. Luther proclaims this tendency in religion. According to Mr. Lumsden, he is a great egoist and his doctrine of the individual's justification by faith alone implied that man existed merely for himself and not for the community of which he is a part. Emphasis upon faith, says Mr. Lumsden, led to slackened emphasis upon good works. Ethics were divorced from economics. In earlier times even princes had sometimes assumed the beggar's garb to show their oneness with the poor. Now such good works were discouraged. Protestantism in its regard for the individual fostered a class spirit, emphasized the gulf between rich and poor, and multiplied the injustices in society. Medieval England, compared with Protestant England, was a moral country. Whatever vice there was in a writer like Chaucer he learned from a foreign source, Boccaccio. Our author ventures to say that

nowhere, either in England, Germany, Switzerland or the Scandinavian countries, did the advent of the Reformation bring about an advance either in theoretical or practical morality, but quite the contrary. If the moral state of England was bad in the reign of Henry VII. and the early years of the reign of his son, it grew worse and worse from the breach with Rome right down through the whole Tudor period, and . . . down through the Stuart line also (p. 187).

One wonders whether Mr. Lumsden can really know that this is true. At any rate, he does not lack courage.

Here we have reconstruction of history with a vengeance. It is noteworthy that such reconstruction goes hand in hand with certain frank admissions. It is a fashion, one might perhaps say a fad, among certain scientific historians of the present day, to call the great movement of the sixteenth century "The Protestant Revolt", since the word Reformation seems to involve pre-judgment. Our author, anti-Protestant though he is, knows no such scruples. He speaks frankly of the Reformation. What he calls "the ghastly pontificate of Alexander VI." shows what thorough reform was needed. He admits that the Church was wrong in applying the doctrine of indulgences to those who were dead; and so on.

As to the quality of the book one may say that the method, "history by suggestion", as the author calls it, is interesting. He has read widely

and gives a portentous bibliography. Yet he makes curious slips—as for instance on page 44, when he calls a coronation service a marriage service. His style lacks finish; his paragraphing is defective and the English is often slipshod; for him the split infinitive has no terrors. One wonders what the average educated person would make of the phrase “smug cit” (p. 192). The author is very fond of the saying “as Mr. [So and So] has pointed out” and uses it with wearisome iteration. The table of contents is bad, giving no real suggestion of contents, and one set of head-lines carried throughout the book makes them quite useless to the reader. Yet the work is not without promise. If the author carries out his plan to bring the book down to the death of Charles I. he will write many volumes and he will improve. He will learn sobriety in judging those who differ from him and he will find out that the attempt to prove a theory is the deadly enemy of scientific history. His theme is an enticing one. No other period offers the really scientific student a more promising field than does the English Reformation. One hopes that Mr. Lumsden will come to walk in the footsteps of Mr. A. F. Pollard rather than to give himself to the type of biassed history that Mr. James Gairdner is now producing on the Reformation. Every page of Mr. Lumsden’s book shows that he is young. He can therefore learn.

The Archbishops of St. Andrews. By JOHN HERKLESS, Professor of Ecclesiastical History in the University of St. Andrews, and ROBERT KERR HANNAY. Volume III. (Edinburgh and London: William Blackwood and Sons. 1910. Pp. ix, 270.)

WE have already reviewed volume I. and volume II. of this work. Volume III. proceeds on the same lines and consists of a life of James Beaton who filled the see of St. Andrews from 1522 to 1539. The volume proceeds breathlessly for it is not broken up into chapters. We could wish that the style of the authors were more animated. There is here almost a diary of the life of James Beaton, told with adequate knowledge and research. Little light is, however, thrown upon the conditions of church life in Scotland, in what was an interesting period. In a word the book must be ranked as dry-as-dust, in spite of its learning.

There were three Archbishop Beaton in the sixteenth century, this James, who was archbishop of Glasgow and then of St. Andrews, his nephew David, of St. Andrews, who became a cardinal and was murdered in 1546, and a later James of Glasgow. James Beaton of St. Andrews was a typical worldly prelate. His life was not stained by open vice, but he was entirely secular in his outlook. England and France were rivals during this period and Wolsey, aided by the Dowager Queen Mary, sister of Henry VIII., was seeking to attach Scotland to the policy of England. Beaton became the leader of the party favoring France, and it throws an interesting light on the spirit of the time to

find that Wolsey made strenuous efforts to kidnap him and hold him prisoner. The archbishop is described by a contemporary as "crafty and insinuating". It shows his secular character that he sometimes wore a coat of mail under his ecclesiastical vestments. When we compare him with the stately, highminded, scholarly Warham, and with Cranmer, his contemporaries at Canterbury, we realize how different was the English from the Scottish Church. It is true that there was a certain generosity in Beaton. He founded St. Mary's College, St. Andrews, but he worshipped the god of things as they are, and was aroused to action in spiritual matters only when the existing conditions were menaced.

It thus came about that Beaton has the evil distinction of being the first persecutor of the Protestants. Patrick Hamilton, a youth of good family, went, in 1527, to study at Marburg, and was profoundly influenced by the teaching of Luther, whom however he never met. He returned to Scotland in the same year, and announced his new faith so openly that he was quickly cited to appear before Beaton. The two men were, it is said, related. Beaton, as archbishop, condemned him as a heretic and he was burned at St. Andrews on the day the archbishop's sentence was pronounced. There is no record of any action by the secular power, and it may be that Beaton, in his heat and fury, sent the young man to execution on his own authority. Hamilton was the first martyr of the Scottish reformation. The archbishop who condemned him had no understanding of the heart of the Scottish people. There was a gulf between the prelacy and the masses, and the profound dislike which the prelacy aroused was to lead to the rigid Presbyterianism of the Scots, still one of the vital forces in the world. As we have said before, prelacy in England never was so completely secular in tone as it became in Scotland and this goes far to explain why the state church in England is still Episcopal while in Scotland it is Presbyterian.

Andreas Vesalius the Reformer of Anatomy. By JAMES MOORES BALL, M.D. (Saint Louis: Medical Science Press. 1910. Pp. xvii, 149.)

IN that earlier stage of societies, when they are held together by what Bagehot called the "cake of custom", the art of war and the development of law stand under no disadvantage; with the art of medicine it is otherwise. Medicine for its progress is largely dependent upon the analytic reason, upon what is called natural science. For its progress the verification of premises must be methodically established, and the ancillary sciences must be moving forward with no unequal steps. At the same time it is too much to say that without anatomy there can be no art of medicine, intimate as is the connection of these two subjects. In the Hippocratic period—and it does not do to speak of its documents as largely "spurious", for all of the collection, under whatever authorship, is of ancient date—the body of clinical medicine, espe-

cially on the surgical side, was very considerable and useful, while anatomy, except in respect of certain of the more palpable bones and joints, had not even come to the birth. At the same time it is true that the flourishing of anatomy, as of any other science, is significant of a general intellectual life and progress by which medicine, as other studies likewise, must profit. Anatomy has suffered in the past from certain disadvantages, not inherent in other studies, which hindered its development. It is not a very dainty subject, as Cicero and Madam Vesalius perceived; moreover against the dissection of the human body there has always been some prejudice, not without justice in ages when religion was material in method, and when the respect for human life needed strong sanctions. Hence dissection, if permitted at all, fell to the lot of menials, the professor regarding the performance, from his throne, with an easy patronage.

Every man is the product of his age, but few masters have sprung so suddenly from chaos and darkness as did Vesalius. Mondino was a very respectable but not a very effectual person. Berengar did more; but the secret of their failure and of the conspicuous success of Vesalius, lay in this great small matter—that Vesalius put his own hand to the work. With my own scalpel I did it! Impatiently he thrust aside the clumsy barbers who spared the fastidiousness of the professors and their pride of caste. The portentous da Vinci probably did the same, but his work did not see the light. Need we stay to point the moral!

Protected by the powerful and relatively free Venetian Republic Vesalius had much of a free hand also; a freedom which under Philip of Spain he bartered away. It is less likely that he burnt his later papers in a fit of despair than in fear of inquisitorial visitations; happily the great *Humani Corporis De Fabrica*, with its marvellous contents, illustrated by the artist probably on the whole the best fitted of all in that day of artists for the achievement, escaped all accident, and was published in a worthy form. The lost papers may have been of less importance; they may have contained minor facts which were thus left for the discovery of later observers; and in them we may have lost the first foundations of pathology: but in large part they seem to have consisted of pharmaceutic and therapeutic materials for which the master of anatomy could not then have been so brilliantly equipped. As regards physiology, what Vesalius could at that period have given us probably appeared in the *De Fabrica*; and it can scarcely be admitted that the passage on the circulation, quoted by Dr. Moores Ball (p. 110) takes the reader much if at all farther than the knowledge of his forerunners. It had long been recognized that arteries and veins ran together, and furthermore that they co-operated in some obscure flux and reflux.

Dr. Ball has done good service by the preparation of this beautiful book; a popular life of Vesalius was much wanted, and the want is well fulfilled. If some passages in the introductory chapters are a little thin, and perhaps not always quite sound in learning, no such criticism

can be brought against the body of the book, which is as well informed as it is well balanced. Dr. Ball—who acknowledges his debt to the “monumental work” of Roth (1892)—is as scrupulous in doing full justice to the predecessors and successors of Vesalius as he is excellent in his picture of the man himself, and in the description of his work. These appreciations of his immediate followers are a very useful and interesting feature of the book, and very competently and succinctly done. On one point we think the scientific ideas of the past do not receive full justice, either from Dr. Ball or from other historians of medicine; namely, concerning the “vital spirits” of the arteries. Galen, and probably the Alexandrians, saw herein more than the common bellows notion of regulation of heat and cold; in their confused way they had the right idea of a blood reanimated by the air, of *pneuma*—the “spirituous blood” of Servetus and Columbus. They had glimpses of the oxygen they could not catch.

The volume is a very handsome one, beautifully printed and illustrated; indeed it would be well if the publishers were to see their way to print a smaller and less sumptuous edition for modest purses; in which case the index might be considerably improved. From it, among other defects, we cannot find out if Dr. Ball, in stating rightly enough that hitherto we have had but one authentic portrait of Vesalius—the frontispiece of the *De Fabrica* (Basel, 1542)—has any opinion concerning the story in *Janus* (1905) of a portrait recently acquired by a medical museum in Amsterdam. Dr. C. E. Daniels (*loc. cit.*) discussed the credentials of this picture in close detail, and concluded that it is by von Calcar, and from the life.

CLIFFORD ALLBUTT.

The University of Cambridge. Volume III. From the Election of Buckingham to the Chancellorship in 1626, to the Decline of the Platonist Movement. By JAMES BASS MULLINGER, M.A. (Cambridge: University Press. 1911. Pp. lx, 743.)

THIS handsomely printed volume, bound in the light blue of the University of Cambridge, comes, after long delay, as a welcome addition to the two volumes on the history of the university published by the accomplished librarian of St. John's College, in 1873 and 1884 respectively. The author pleads his duties as lecturer on history and his desire to avail himself of the wealth of material furnished by the *Dictionary of National Biography* in justification of the tardy appearance of the work. It will be none the less welcome. The period of which it treats, “from the Election of Buckingham to the Chancellorship in 1626 to the Decline of the Platonist Movement”, involving as it does the Civil War and the Restoration, is one of the most perturbed in the life of the university itself, and at no time in its history was the university a larger factor in the life of the nation.

Such a volume is necessarily less easy reading than a biography or the history of a campaign. The number of individuals, the variety of their interests, the largely scholastic and literary character of their activities, render the picture involved; and the author has been more sparing in general summaries of periods and tendencies than the reader could wish. The individual characterizations, though brief, are however excellent, and the impression of the manner in which the university weathered the storm and stress of these eventful years is definite and satisfactory.

The author gives a sympathetic discussion of the share of Cambridge graduates in the upbuilding of New England, especially of Harvard University, but with the use in large measure of older rather than the more recent historical material and with little that is novel to the student of New England affairs. A point of curious interest is his demonstration of the influence of the theory of the learned fellow of Christ's College, Joseph Mede (1586-1638), in the formation of Cotton Mather's curious opinion that the New World was the special dwelling place of satanic powers driven forth from the Old by the progress of Christianity.

Of interest to teachers of history is the author's account of the foundation by Fulke Greville, the first Lord Brooke, probably through influences emanating from Francis Bacon, of a chair of history in the university in 1627, the occupant of which was not to be in holy orders, and was to be free to lecture on whatever field of history, secular or ecclesiastical, he should elect. Holland furnished the incumbent in the person of Isaac Dorislaus, of Leyden; but though the lecturer in discussing the *Annals* of Tacitus had declared the monarchy of England the best of all governments, he was not sufficiently definite on the divine right of kings to satisfy sensitive ears, and by the time of his second lecture complaint was made to Laud, with the result that though the lecturer signified his willingness to make satisfaction, the lectureship was discontinued, and instruction in history had long to wait in the university.

Buckingham's services to the university during the few months between his election to the chancellorship and his assassination, and especially his proposal to erect a library which that deed prevented, cast a pleasing light on some of the qualities of the royal favorite.

In the involved fortunes of the university during the Civil War, when Churchmen gave place to Puritans and Independents thrust in by authority, and in the equally arbitrary acts which followed the Restoration, the author tells the story with impartiality and clearness. His treatment of the Cambridge Platonists is at once sympathetic and discriminating. He makes plain their merits and their shortcomings alike, and the volume closes with their work. Its use is facilitated by a copious index, but especially by a remarkable table of contents of no less than forty-eight pages, which is almost an epitome of the work.

WILLISTON WALKER.

An Historical Relation of Ceylon, together with somewhat concerning Severall Remarkeable Passages of my Life that hath hapned since my Deliverance out of my Captivity. By ROBERT KNOX. (Glasgow: James MacLehose and Sons. 1911. Pp. lxviii, 460.)

AMONG the many descriptions of strange lands published in the sixteenth and seventeenth centuries the *Historical Relation* of Robert Knox occupies an honored place, not only because of the author's unique experience as "a captive for more years than he had lived to the time of his captivity", but also because of the patent truthfulness and hard-headed, prosaic nature of the man, which kept him from improving upon the facts he presented. The accident which cast him away almost solitary on an island known only along its littoral and made him a sort of curiosity to the native king occurred before he was educated enough to know the literary and financial benefit of inventing lies. Before he was twenty he was exhibited about the land and later travelled over it earning his living by handiwork. On escaping he prosaically told his story, partly, as he says, to give himself something to do, partly to relearn the art of writing, and partly for the glory of God. This unvarnished tale soon became the best seller of its day and was translated into French and Dutch, so that soon after "all the bookes were bought up", and as he had given his bond not to reprint the *Relation*, he subsequently added his autobiographical notes. The addition of Knox's autobiography with other notes, based on a find made in the Bodleian Library last year, gives its chief historical value to the present edition, though even without the new material a complete reprint of the *Relation* would have been welcome. The editor suggests the question whether Defoe, who knew Knox, may not have been indebted to the *Relation*, and the new autobiographical matter here preserved in convenient form may be helpful in solving this interesting point. Mr. Ryan, the able editor, has done well to preserve the text practically unchanged. We may see here, apart from the narrative itself, how a youth's education served at that time to instil into him more piety than syntax (spelling was rudimentary). "To part my Father and I"; "a bird sets on a tree"; "the countrey wants her water" are evidently unstudied examples of how one naturally spoke *circa* 1680.

The historian knows this book already, so it will be necessary for the reviewer only to point out that Mr. Ryan has brought out the work well and that what new material is provided is of interest chiefly in telling us more of the inner life of the good Puritan captain, together with some details as to his clothes and other trifles, which he forgot to mention in his "great Booke". One cannot but admire the rough sincerity and common sense of the man whose piety is so well modified by natural sagacity that he can explain the endemic "Sickness of Bencoolen" as due to "a contagious Aire which proceedeth from no other cause but the will of the Almighty Creatour, who tourneth a fruitfull land into Barrennesse for the Wickednesse of them that Dwell tharin", and hav-

ing, so to speak, done his duty by the Almighty, then proceeds to explain the "Concurrant Causes" of the trouble, "as first their houses are leeke and wet. Secondly the Dyett is nasty and also the dishes . . . and thirdly the rotted rice they eate". He gets into a controversy with Captain Dampire (in the biography) over the relative merits of the "plantine tree" and the "Cocornut", and enumerates fourteen virtues of the latter, not to injure the Captain but "to doe the Cocornut tree Justice". He also recognizes his captors' good qualities, and here also the autobiography adds a touch or two that is not without human interest: "These heathen are very Compationate to indigent people of what nation or Religion soever, and their Common or usual saying in such a case is (Ommea gea Durria) He is a Mothers Child".

Were it not that this book is two centuries old and too well known to review in detail we would remind the reader of the many picturesque details to be found in the *Relation* besides its ethnographic value in giving an intimate account of the products, trade, manners, morals, and political state of Ceylon's interior, at a period when the "city three-square like a triangle" was known to only one white man. The narrator may have had an elastic conscience. He says himself, regarding the business of robbing the Indians, that he would not allow himself 'to wade far into the Equity and Justnesse of such Actions, since my Commission according to human law would beare me out'; but wherever his descriptions can be controlled they shine with truth. Thus he says that the heathen will not kill to eat but have no scruples about eating meat killed by another. He means the Buddhists, and this was their rule in India. He says that they can go through the "Oyl" ordeal and come unscathed from the boiling fluid. So they can, and Knox testifies to what he saw (adding also, "whether it be their innocence or their Art, I know not"). The remarkable tales he tells of door-sitting are strange to him, but practices in India and China make them plausible. His proverbs of the country also ring true: "He that hath Money to give to his Judge needs not fear"; "If the planets be bad, what can God do against them?" Testimony of this sort based on comparative literature is fairly trustworthy and may add to Knox's reputation for veracity in other matters, which has not been entirely unquestioned. The original plates and paging are reproduced in the present volume.

Acts of the Privy Council, Colonial Series. Volume IV., A. D. 1745-1766. Edited through the direction of the Lord President of the Council by JAMES MUNRO, M.A., Beit Lecturer in Colonial History in the University of Oxford, under the general supervision of Sir ALMERIC W. FITZROY, K. C. V. O., Clerk of the Privy Council. (London: Wyman and Sons. 1911. Pp. xxxii, 876.)

THE fourth volume of the *Acts of the Privy Council, Colonial Series*, carries the extracts of the Privy Council Register from 1745 to 1766

and covers thereby a very important period of colonial history. No other series of British official publications has yet dealt with these years, except the *Calendar of Home Office Papers* and that only for the brief period from 1760 to 1766. For this reason the present volume is exceptionally welcome. A fifth volume, soon to appear, will complete to 1783 the entries from the Register, and a sixth, which will not be long delayed, will deal with the unbound papers. Thus this noteworthy publication, one of the most important of its kind and put through with a rapidity which reflects great credit upon its promoters, is nearing completion, and when finished will stand as a permanent source of great value to the student of British colonial policy.

The contents of this volume are essentially the same as those of volume III. The Council had settled down into a more or less definite routine of official procedure. Several entries show, even more conclusively than before, that the committee was but the whole Council acting in that capacity, as when it was ordered "by His Majesty in Council that the whole Privy Council or any three of them, Be, and they are hereby appointed a Committee for the Affairs of Jersey and Guernsey, Hearing of Appeals from the Plantations, and other Matters that shall be Referred to them" (pp. 484-485). The chief concerns of this committee, as of the Council itself, were the confirmation or disallowance of colonial laws, the issue of commissions and instructions to the colonial governors, and the hearing of appeals from colonial courts. Other colonial business occasionally appears, but none of it was periodic as was the case with these three aspects, which appear systematically and regularly among the entries. In conjunction with the issue of commissions the Council made an effort to put colonial business on a more organized footing. It scrutinized much more carefully than before the appointment of colonial officials, recommended the codification of colonial laws, and endeavored to check the growth of absenteeism or the performance of colonial duties by deputy. It may be, as Mr. Munro thinks, that the Board of Trade had ceased to be more than a body for reference and report, though the evidence to that effect is far from conclusive and seems less conclusive during Halifax's régime than at some earlier periods, but certainly the representations and reports of the board were never so frequent or its actual influence greater than during these years. Its representations and reports, here recorded, number nearly two hundred and fifty. It is true that a number of its reports were comparatively unimportant and that others were sent back because not signed "by a sufficient number of hands" or for other reasons not given; but the first of the reports to be so treated is of as late a date as 1763, and as witnessing any reflection upon the board is not very significant. In one particular at least the board enters upon a great improvement. It takes pains, in sending in the draft of a governor's instructions, to specify what portions are new, a practice which had it been followed from the beginning would save the student much painful labor.

Not only was the Council endeavoring to lighten the administrative machinery of the colonies, by scrutinizing appointments, but it was also endeavoring to strengthen the king's legislative control by affirming the necessity of the suspending clause and by enlarging the governor's instructions in all matters that concerned that official's attitude toward the passing of colonial acts. It approved the statement of the Board of Trade that for the colonial legislatures to repeal or alter laws confirmed by the crown, without a clause of suspension, was to destroy the power by the crown to direct or govern the colonies and to secure to its subjects their just liberties and privileges (1752). It made vigorous efforts, through the governor's instructions, to sustain the royal prerogative in the colonies as against the encroachments of the popular assemblies, and the committee declared as late as 1765 that such encroachments affected the king's authority and the liberty of his subjects and tended to throw the affairs of the king in the colony into the greatest confusion. We get much light also on the Indian policy of the Secretary of State and the Council, and are better able to understand the great change of plan which was leading to the Proclamation of 1763, a document long misunderstood by our historians. The real reasons for that proclamation are here given on pages 749-751.

Mr. Grant having withdrawn from the undertaking, the preface is signed by Mr. Munro alone. It is a thoughtful essay, characterized by insight and impartiality. From most of its contentions we would not differ, and in all that it says of tendencies in the West India colonies that parallel like tendencies on the continent we feel in hearty sympathy. To that phase of our colonial history practically no attention has been paid in America. But the preface contains a few omissions and errors that might easily have been remedied. The well-known Order in Council of March 11, 1752, is given as issued in April, and Mr. Munro has passed over entirely the important order of May 15, 1761, though it is printed in this volume (p. 157). The order directing the colonies to revise their laws is confused with that of March 11 (given as April 14), whereas it was approved in April, having been favorably reported in January. The reference to § 652 on page x should be to § 651, and the date when Georgia became a royal colony should be 1752. The name of John Camm is given as Camin, which may be, or seem to be, the reading of the Register, though it is later given correctly. A curious slip, due to unfamiliarity with Indian topography and to a misreading of the text, places the Delaware Indians in Connecticut, and the name of Wycoming for Wyoming, though so given in the entry, should have been corrected. The reference to Sir Matthew Lamb rouses the suspicion that Mr. Munro is not familiar with the fact that Lamb was the regularly appointed legal adviser of the board, while his comment on the Bosomworth case in Georgia suggests that he has not examined the evidence in the controversy found among the Board of Trade papers. But these are minor points and weigh but slightly against the many excellent features which the preface possesses.

CHARLES M. ANDREWS.

The Nelsons of Burnham Thorpe: a Record of a Norfolk Family, compiled from Unpublished Letters and Notebooks, 1787-1842.
By M. EYRE MATCHAM. (London and New York: John Lane Company. 1911. Pp. 306.)

BURNHAM THORPE is a Norfolk village of which the Rev. Edmund Nelson, the father of the celebrated admiral, Lord Nelson, was rector from 1755 to 1801. It was here that the admiral was born in 1758; here also his youngest and apparently favorite sister, Catherine, in 1767.

In 1787 Catherine married George Matcham, a retired East Indian official of handsome fortune. With her departure from home began a correspondence with her father which fixes the starting point in date of the volume before us. She kept his letters, which still exist; and from them the material of the book is largely drawn, though supplemented by note-books and other data. She outlived all her family, and her death in 1842 fixes the end of the book, she being the last of the Nelson generation that had found its home in Burnham Thorpe.

The interest of the book is mainly in the admission to the intimacies of a family private life, which in some degree formed the background of a great historical career. Of material for history there is very little, nor much even for biography; but those who receive pleasure from knowing something of the surroundings and personal relations of a distinguished man, whose public achievements have commanded their admiration, will be repaid by perusal. Such is the case with the present writer, and in that sense he commends the volume to others who may feel like himself.

Probably the most stimulating effect produced by the work is reflection upon the genesis of those great special—or specialized—aptitudes which we know vaguely as genius. That there was among the Nelsons of Burnham Thorpe a good average of strong character is fairly probable from the record spread before the reader; but nowhere among them does there seem to have been any capacity for achievement. Even in ordering matters of private life dependence appears to have been largely upon the future admiral; not merely, nor chiefly, in the days of his renown, when influence attached to his position, but before, when he was unknown. His energy, his faculty for accomplishment, were a mainstay. Nelson the admiral, and he alone in the family, was eminently one of those men who will arrive. He was so from first to last, and he was himself conscious of the fact. "I shall live to be envied" was one of his early utterances. What concurrence of obscure natural causes led up to this natural result, standing conspicuous, yet without precedent in a family line, before him, after him, and around him? In point of distinction of quality, he is without father, without mother, without descent, without family. The same ingredients, one may say, in all; but in none other anything approaching to, or even suggesting, the one exception. Does not genius, which is admitted, suggest an explanation of miracle?

Of mentions in the book some may be cited. We are told on the authority of George Matcham, the brother-in-law, that it was the earnest wish of the admiral that "whatever boys of mine might live to be of age, they would adopt any profession other than that of arms, either as sailors or soldiers". Doubt is cast again upon the much-vexed question of the paternity of Horatia, Nelson's "adopted" child; and it is said that the admiral and his wife were so uncongenial, because of her temperament, that separation would have taken place had no Lady Hamilton appeared. This also rests upon the authority of the first George Matcham. "Lauded, admired, and sought everywhere but at home, where complaining and reproach formed a sad contrast to the merited reception he met elsewhere, he naturally turned from the spot, his heart sickened and revolted, and at last was completely estranged." Yet not long before he left England for the station where the entanglement began he wrote in a private letter, "I am possessed of all that is valuable in a wife". In 1800, when the infatuation was complete and Nelson not yet returned to England, his father, then an invalid of seventy-eight, wrote to Catherine Matcham, "I am weak and enervated, but the mind is strong; the body well taken care of by the best advice and best of care, by the unabated attention of your good sister-in-law, who is the very counterpart of her great and good husband". In later life the Matchams and Lady Nelson were reconciled.

Some of Matcham's utterances on other matters are of more general interest. "Many foreigners conceive we (English) are an uncleanly race from our not having a warm bath in every gentleman's house. Are they quite wrong in their conjecture? Clean linen alone will not make a person clean. . . . Yet we see houses built at the expense of tens of thousands of pounds without the consideration of spending a few pounds for a bath; a defect which excites the ridicule of foreigners and the regrets of travelled Englishmen. . . . The (present) frequent change of linen I think is owing to our greater intercourse with India." Again, "Smoaking tobacco is in England a forbidden indulgence."

There are several portraits, and other illustrations, which will possess interest for those already interested in the admiral.

A. T. MAHAN.

William Pitt and National Revival. By J. HOLLAND ROSE, Litt. D.
(London: G. Bell and Sons, Ltd. 1911. Pp. xii, 655.)

THIS scholarly work presents the results of a careful study of numerous original materials recently made available in addition to those used by Stanhope, 1862, since which no detailed biography of Pitt has appeared. Dr. Rose has used Foreign, War, Admiralty, and Home Office archives; the Pitt manuscripts now in the national archives, and those preserved in several private houses; the publications of the British Historical Manuscripts Commission; and many recent memoirs, in addition to the more familiar works. Parliamentary debates are used, though

not generously, the author depreciating their importance and asserting that they should not be taken seriously as revealing either motives or ideals, since members were but playing the political game and were frankly conscious of that incitement.

In the absence of any considerable number of letters for the period of Pitt's youth, Dr. Rose can offer little more than previous biographers. The failure to discover letters the author regards as a distinct misfortune, even hinting that Bishop Tomline, in his portrayal of Pitt as a statesman, may have destroyed correspondence. On the other hand it is admitted that Pitt either lacked or restrained certain kindly, human qualities, and that his friendships were few. Also he was persistently negligent in his correspondence, so that light on his personality is lacking. In the absence of any exact knowledge of his youth, the marvel of Pitt's precocity in politics and government still remains. The author's lucid account of the fortuitous political situation, the emphasis placed on inherited genius, and the prestige of the elder Pitt's name, do not destroy the wonder at the sudden emergence of the statesman. Dr. Rose aptly quotes Bacon: "A man that is young in yeares may be old in houres, if he have lost no time", and he also emphasizes Pitt's wonderful self-discipline. He was "essentially methodical. His feelings, his words, even his lightest jests, were always completely under control." But even this does not explain the marvel of his selection as prime minister. Probably George III., in his fierce displeasure with the Coalition, took a desperate chance, with no realization of Pitt's abilities. The king, the author states, exercised a greater control in government, and even over Pitt himself, than historians have stated. He was "a sovereign who in the last resort gave the law to his ministers, and occasionally treated them like head clerks". Yet Pitt, it is asserted, was supreme within the cabinet. In diplomacy "at every emergency the British Foreign Office was directed by Pitt, and not by its chief, the Duke of Leeds". Dr. Rose attributes to Pitt practically unlimited power over his fellow ministers, but declares that the obstinacy of George III. seriously hampered him in the exercise of it.

The present volume covers the ten years of English history from the beginning of Pitt's Parliamentary career in 1781. In the matter of Parliamentary reform Dr. Rose is largely an apologist for Pitt, enumerating his difficulties and emphasizing the apathy of the country. Pitt's earlier enthusiasm gradually waned under the necessity of maintaining a majority, and after motions for Parliamentary reform were defeated, he leaned on "influence". Dr. Rose regrets this, but viewing all the circumstances, ascribes no blame to Pitt for his disinclination to continue a hopeless conflict. The effort for abolition of the slave-trade was also abandoned after failure, the author clearly bringing out the intensity and bitterness of the mercantile opposition to the measure. Pitt, inspired by Wilberforce, for whom he felt a more tender friendship than for any other man, had espoused abolition with vigor, but after successive defeats in

Parliament, and in the stress of the conflict with France, was forced regretfully to withdraw from whole-hearted support. The irritation of the extreme abolitionists and their suspicions of Pitt's sincerity, the author considers unjust, pleading political exigencies and larger interests in extenuation. Dr. Rose's thoroughness is well exhibited in the treatment of the Nootka Sound affair, in the use both of recent monographs and articles, and of new material. With his modern vision of the importance of England's victory, comparing it to the "irruption of Cromwell's fleet into the Spanish West Indies in 1654", he possibly leaves an incorrect impression of Pitt's prescience, even though he admits Pitt's actual blindness.

The analysis of England's influence in the Triple Alliance is superior to anything that has yet appeared. Here Dr. Rose controverts in part the work of Sorel, of Lodge in the *Cambridge Modern History*, of Vivanti, and others. Particularly interesting is the credit given to Ewart, the British representative in Berlin, for formulating and pressing to organized effort the whole anti-Russian movement. Ewart has never had the credit due him in history, but the present work will do much to establish him in his proper niche in British diplomacy. The Triple Alliance greatly aided in the re-establishment of British prestige in Europe. In 1790 Pitt could point to industrial prosperity at home and influence abroad. "In seven years, crowded with complex questions, he had won his way to an eminence whence he could look down on his rivals, both internal and external, groping their way doubtfully and deviously." The summit of Pitt's career, according to the author, came in 1790, because of his successful efforts for peace. Faithful historical description "will reveal the truth, that a statesman attains a higher success when he averts war than when he wages a triumphant war".

Comparison with the author's *Napoleon I.* is inevitable. The older work is more attractive reading because of the greater dramatic interest of the subject-matter, but the *Pitt* unquestionably marks a great advance in Dr. Rose's scholarly breadth and presentation. If less popular than the *Napoleon I.*, the *Pitt* is more solid and authoritative, and shows a greater felicity of phrase and analysis. A second volume on *William Pitt and the Great War* will complete the work.

E. D. ADAMS.

Lettres de 1815. Lettres de 1812. Par ARTHUR CHUQUET, Membre de l'Institut. [Bibliothèque de la Révolution et de l'Empire, vols. I., II.] (Paris: Honoré Champion. 1911. Pp. 368; 413.)

M. CHUQUET announces his purpose in the collection which he initiates with these two volumes to publish personal letters and private documents emanating from secondary personages, subalterns, and minor officials, though not neglecting documents of a general or official character or letters and reports of high officials, military and civil. Occasionally translations of little-known documents, and brief notes and jottings will

be included. It is therefore not exclusively a collection of letters, nor even of documents. Any pretense of confining the collection to unpublished material is frankly disavowed. The prefatory advertisement contains two other pregnant statements. It is guaranteed that the volumes shall be "aussi intéressante qu'instructive", and they will appear "quand et comme il nous plaira". In such cavalier fashion does this well-known historian seek to free himself from the obligations of historical method and careful scholarship, which should have been upheld by his notable example.

In the present volumes, the documents are arranged roughly in the order of the events to which they relate, but are not grouped into chapters, as might profitably have been done. Both the editorial and the typographical work are haphazard. Frequently it is difficult to distinguish documentary from editorial matter. Consistency is an unsought jewel. The editorial comments are frequently gratuitous, while needful matters receive no attention. Neither volume contains a map nor an index. It is hard to imagine the general reader finding these disconnected brief minor documents "interesting", and equally difficult to conceive how they will be "instructive" to the student conversant with the two subjects concerned. At best a few trifling foot-notes to history may be gleaned, and these mainly biographical details relating to minor characters. Public opinion and the sentiments of the army are depicted, but nothing new is revealed.

In selecting a title, M. Chuquet might well have followed the model of Miss Alcott's *Aunt Jo's Scrap Bag*. Into the scrap bag of these volumes, he is thrusting the unused documents and odd items that have caught his fancy during years of extensive research, just to get them off his hands. Each volume contains about 120 documents which are garnered from the archives of the War Department, with the exception of fifteen in the first volume and thirty in the second. The first volume deals mainly with the return from Elba and the second with the retreat from Moscow, but neither collection is comprehensive and documents of prime importance are often omitted. A satisfactory volume of select documents illustrative of either of these episodes would have a very different table of contents.

Only two documents in the first volume are distinctly valuable: Captain Forget's account (55) of the flight of Louis XVIII. from Paris, and General Abbé's narrative (71) of the campaign of the Midi, with its illuminating references to public sentiment. The narratives and testimony of Lessard (or Delessert) (16, 17), Randon (18), and Marchand (24, 25) of the events at Laffrey and Grenoble are important, but offer no confirmation of the statement of Houssaye and others that Randon ordered the troops of Lessard at Laffrey to fire on Napoleon. No other document makes essential addition or correction to Houssaye's 1815. Extracts from the depositions at Ney's trial and other documents relating to Ney's "treason" (35-46) have a special interest. "Un colonel

de l'armée française" (76) makes serious criticisms of the conditions in the army.

The two leaders in the second volume, previously published anonymously, are ascribed to their proper authors by M. Chuquet. Captain Oriot (71) describes the retreat from Moscow to Smolensk, and Captain Briqueville (79) the retreat of the rear-guard under Ney from Smolensk to Orcha. Ney's modest official report (82) of this startling achievement is also included. The last episode of the retreat, the plundering of the military treasure-chests at Kovno, is recounted by their guardian, Colonel Heeringen (108). While this volume like the first contributes very little new information, it includes more documents of genuine interest and illustrative value, though the best are not among the "inédits".

GEORGE MATTHEW DUTCHER.

I Carbonari dello Stato Pontificio ricercati dalle Inquisizioni Austriache nel Regno Lombardo-Veneto (1817-1825). Documenti inediti pubblicati dal Professore AUGUSTO PIERANTONI. (Rome: Albrighi, Segati e Compagnia. 1910. Two volumes. Pp. iv, 492; 404.)

THIS is one of the most important and also one of the most inaccurately edited works in the valuable series, *Biblioteca Storica del Risorgimento Italiano*, in which it is listed as volumes V. and VI. of the sixth series. Its nine hundred pages contain only documents, mainly portions of reports—without editorial introduction, notes, or subject index—on the examination of political prisoners by the imperial Austrian inquisition in the Lombardo-Veneto during the years 1819-1823, and some official correspondence relating to them. The publication of the reports has been made from a contemporary manuscript volume in the National Library Vittorio Emanuele in Rome, entitled "Estratti degli Atti dell' Imp. Regio Tribunale Criminale di Venezia interessanti lo Stato Pontificio". The authenticity of this manuscript volume is placed beyond doubt by the declaration of the secretary of the Imperial Royal Commission of *prima istanza*, who certifies in the volume itself that the proceedings herein inscribed are exact copies of those registered in the journal of the Austrian government for the use of the Pontifical government and were intended to contain such portions of the inquisitorial examination of prisoners in the Lombardo-Veneto as implicated citizens of the Pontifical States in the revolutionary conspiracies of the period. And it was by means of the information supplied by this volume that Cardinal Rivarola was able on August 31, 1825, to condemn in a single sentence four hundred and eighteen of the pope's subjects as political criminals.

It is only recently that this most important source has come into the historian's hands. Father Ilario Rinieri used it in an important paper in the *Civiltà Cattolica* in 1905, and also, though without naming it, in his *La Verità Storica nel Processo Pellico-Maroncelli*; one or two other writers after Rinieri quoted briefly from it; then Senator Pierantoni

managed to sequesterate it for four years during the unscholarly preparation of the present publication. Alessandro Luzio, in 1903, writing his important but not entirely trustworthy *Il Processo Pellico-Maroncelli*, knew of the existence of the manuscript volume, but although it contains portions of fourteen reports on the examination of Pellico and Maroncelli in Venice, 1821-1822, which are wanting in the Milan state archives in which Luzio worked, he failed to avail himself of it to fill in the historical gap. Had he examined Maroncelli's revelations made in Venice he would have been obliged to revise his published opinion of the "good Piero". On February 17, 1821, for example, Maroncelli in a dictated statement made before the Commission declared: "I cannot deny that in my depositions heretofore made I have maintained silence in regard to many matters and spoken untruly in regard to others. But I am now ready to tell the truth about everything, hoping that in the affair which I am going to relate, the Most Merciful Government will deign to consider my position, and especially that of my family, and concede to me and my brother that treatment which a man who is penitent of his transgression may hope to receive, and which I shall merit from the revelations which I am about to make" (I. 19). The disclosure of the most inviolable secrets and the betrayal of a host of companions and friends followed. In the course of his examination Maroncelli not only replied to the questions directly put to him, but with apparent eagerness entered repeatedly upon lengthy narration revealing what he knew of the whole flimsy web of political conspiracy, prepared by the Carbonari, the Masons, the Guelphs, the Spilla Nera, and other secret societies, with a fulness of circumstantial detail which would have done honor to the most odious political spy. Lists of conspirators were freely proffered; names of men of whom he had merely heard as secret society members and those of his most intimate associates were given with equal alacrity; their political views, their grades in the different lodges, the importance of their individual activities, all the information that was most damning to his fellow patriots was readily placed at the disposal of a police which Maroncelli knew to be infernally cruel in political repression and relentless even beyond the grave. And this was done, as he declared (I. 86), "to show his gratitude towards the Government"—that government against which he had himself conspired in company with several of the men whom he was betraying. Maroncelli may be pitied for the physical suffering and mental tortures which he was forced to endure in Austrian prisons, but after the publication of these reports of his conduct before the inquisition he can be classed only among the most vile and abject informers.

Of the reputations of the other twenty-seven prisoners whose examinations are reported in these volumes, few fare better in the new light that is thrown upon them than that of Maroncelli. Among the most noteworthy depositions made were those of Antonio Villa, Felice Foresti, Giovanni Battista Canonici, Antonio Solera, and Costantino Munari. Of the infamy of Villa much was already known. As to

Foresti, the charge that he betrayed his associates, brought against him ten years ago by Luzio in his *Antonio Salvotti e i Processi del Ventuno*, is fully confirmed by his depositions now made public. Many writers have hitherto denied the justice of Luzio's charge, maintaining that the official reports on which it was based were untrustworthy and had been falsified by the Austrian police. But the claims in exculpation of Foresti can no longer be maintained; unfortunately for his reputation many facts given in these reports of his depositions tally too well with the fragments of his own *Ricordi* published by Vannucci in a volume of the *Martiri*, to have been invented or inserted by the Austrian police. Foresti may now be said to have taken his place definitely in history among the informers.

The prisoner whose depositions were most creditable was Canonici. During the nine examinations to which he was subjected from August 21 to September 1, 1820, he showed much cleverness in his replies to the fiendishly shrewd inquisitors, shrouding his memory in a veil of uncertainty and giving as little information as was possible in the forced admissions. It is to be noted, moreover, that his depositions correspond perfectly with many statements made in his memoirs published in Bologna in 1848, *Un Tratto della mia Vita*, thereby furnishing further proof of the general trustworthiness of the Austrian police reports.

These proofs of the trustworthiness of the police reports are of the greatest importance to the historian, not only as enabling him to speak with certainty as to the character of the prisoners concerned, but because the depositions as a whole contain a treasure-house of detail upon the character, and aims, and working of the secret societies of this period in the Pontifical States. Much critical care must of course be exercised in the use of documents of this character, but with these volumes in hand it is not too much to say that a general history of Risorgimento secret societies becomes now for the first time possible.

To many students of Italian history it will be a disappointment that with this publication a few martyrs' crowns must come off. But an army of patriots and genuine martyrs remains, and the figures of the truly noble leaders stand out only the more clearly in the direct light thrown upon their weaker associates, many of whom are seen to have been but sorry novices in the field of patriotism, apt in dabbling with decorations of masonic and other secret lodges, but lacking the fibre to endure the test of Austrian police torture.

With regard to the editing of the volumes, it is to be noted that Senator Pierantoni carefully avoids all mention of the originals from which his documents are published, avoids all reference to the manuscript volume of "*Estratti degli Atti*" described above, and avoids stating that his documents are to be found in the National Library Vittorio Emanuele in Rome. His text is full of errors and it would appear that he was conscious of the wretched character of his editing and was unwilling that scholars should collate his volumes with the originals.

H. NELSON GAY.

Cavour. VON WALTER FRIEDENSBURG. Erster Band. *Bis zur Berufung in das Ministerium, 1810-1850.* (Gotha: Friedrich Andreas Perthes A.-G. 1911. Pp. xi, 417.)

It is noteworthy that the Germans, who have been indefatigable in producing historical monographs on almost all periods and persons, have neglected Cavour and the later Risorgimento. Nearly forty years have elapsed since Treitschke wrote his pithy essay, and Otto Speyer his pleasant narrative on Cavour, and Reuchlin's history, excellent at many points, especially when we remember that he produced it while the later events he describes were unfolding, dates from even farther back. Kraus's sketch is recent (1902), but it is hardly systematic enough to be classed among formal biographies. Perhaps the development of the unified German Empire on lines quite different from those which Cavour followed for the unification of Italy, may partly explain this neglect. So long as Bismarck lived, he not only absorbed the attention of his countrymen, but he seemed to them so *kolossal* as a state-builder that no other could be worth considering. Under the present Kaiser, also, absolutist ideals have been so popular, that it was hardly to be expected that the career of the greatest of European Liberals in the nineteenth century should be widely studied. Even Treitschke, despite his admiration for Cavour's genius, was too full of the then recent Prussian victories, not to let one infer that Cavour made an irreparable blunder in not being born a Prussian. We welcome, therefore, Dr. Friedensburg's biography; for whether it takes its place or not as an adequate life of Cavour, it will at least throw light on the opinions which learned Germans hold to-day on Cavour's work.

In his preface, Dr. Friedensburg tells us that this is the first half of the biography he has in view: and he brings the story down to Cavour's entry into the cabinet in October, 1850. This surprises us, for we cannot believe that the author, if he holds to the scale he has adopted, can possibly squeeze his account of the eleven years of Cavour's tremendous ministerial labors into a similar volume of 400 pages. Zanichelli, indeed, divided his summary very unequally; but his justification was that he aimed at showing exhaustively Cavour's political philosophy rather than at chronicling his concrete acts from day to day. We mention this at the outset, because it seems to us to reveal a defective sense of proportion—that quality which is indispensable to all true and lasting construction. Unless Dr. Friedensburg foreshortens or condenses, he will require three more volumes instead of one.

The reason his first volume is disproportionately long is obvious: he treats every topic as fully as every other, thereby paying his tribute to the German ideal of thoroughness. Thus in his chapter on Cavour's writings, he sometimes gives too elaborate details of their contents: for what is really essential in a work of this kind is to report Cavour's general views, or his original criticism—as in well-known passages in the essays on Pitt and on Ireland. So too, in the earlier chapters on

Cavour's formative period, instead of quoting bodily large sections from Chiala and from Berti, an historian more skilful in portraiture would have chosen a few brief but intensely characteristic elements. The same method overweights the narrative of parliamentary proceedings, where secondary and even tertiary matters are reported with a scrupulous exactness, that makes us wonder how Dr. Friedensburg can help being swamped when he comes to Cavour's fifty-two speeches on the commercial treaties. On the other hand, he dismisses Mazzini and the Young Italy propaganda so curtly that a reader who had not informed himself elsewhere would not understand why Mazzini was the voice of conscience to Italian patriots and the terror of European despots between 1831 and 1847.

As Dr. Friedensburg supplies no foot-notes or references, we cannot say what sources he has consulted; but so far as we have observed he has had access to nothing new. Indeed, we feel at times that he has not seen the printed Cavourian material of the last ten years, or familiarized himself with the large body of inedited recollections and opinions which acquaintance with the survivors of the great era might furnish. It is late in the day, for example, to state that the name of Cavour's *Inconnue* (Countess Anna Giustiniani) is unknown. Faldella gave a brief account of her in his *Fratelli Bandiera* at least fifteen years ago, and last year the newspapers of Genoa and Turin had biographical articles about her. So, too, in a substantial historical work, we expect to find the names stated of the persons to whom Cavour wrote the letters quoted. Instead of "a certain French lady", Dr. Friedensburg should say "Mme. de Circourt" (who was in fact a Russian). These points might seem trivial, were it not that they militate against the exactness which is the most important feature in the book.

We do not intend to minimize the value of this feature. We have devoted more space to the limitations, because after all the problem for Cavour's biographer is now architectonic and interpretative. A great mass of material exists; how to select and construct is the biographer's task. Dr. Friedensburg's ability to pack a mass of information into his pages is as apparent as his thoroughness. He evidently sympathizes with Cavour's Liberalism. His volume produces on us the impression not unlike that made by a Baedeker: only it lacks the stars and double stars by which even Baedeker recognizes that there are degrees of significance in the realm of facts. The frontispiece purports to be Cavour when about thirty years old; but it is so unlike the authentic portraits that either the artist who drew this never saw the original, or the publisher has by mistake substituted the profile of a German *Privatdozent* of 1840.

Francesco Crispi: I Mille. Da Documenti dell' Archivio Crispi. (Milan: Fratelli Treves. 1911. Pp. 409.)

THIS book, of which T. Palamenghi-Crispi is the author, contains some of the most important recent additions to the documents of the

Risorgimento. It is also significant as laying the foundations of a Crispi legend. The kinsman of the conspirator-politician leaves nothing undone here to prove that to Crispi, rather than to Cavour or to Garibaldi, was due the successful outcome of the events of 1860 which resulted in Italian unity. During his lifetime, the ruthless Sicilian was the target of unceasing accusations; yet he pushed himself on and up till he became prime minister. Then his enemies assailed him and drove him from office; but he rose again, and at his death, some ten years ago, although past fourscore, he was the most considerable political figure in Italy.

Beati possidentes was a maxim which Bismarck, with whom Crispi had many affinities, was fond of quoting, and Crispi might have echoed it. For he outlived all the other leaders of the Golden Era of the Risorgimento, and, as prime minister, he had access to the records. That he allowed papers that might incriminate himself to remain in the archives at Turin, for future historians to unearth, is not believed in Italy. Conversely, that he had made provision for his rehabilitation at the bar of history, cannot be doubted. Even before his death he furnished the unreliable Stillman with the material for an indiscriminate eulogy; and now Signor Palamenghi-Crispi stops little short of idolatry. Nevertheless, his book contains much original matter and must be treated seriously.

The first chapters describe piecemeal Crispi's exile from 1849 to 1859. No mention is made, however, of the charge revived recently by Orsini's accomplice, Di Rudio, that Crispi threw one of the three bombs at Napoleon III. in 1858. The real interest of the narrative begins with the autumn of 1859, when, as Mazzini's agent, he went incognito to Sicily to prepare a revolt. During the following spring he worked with great energy to make ready the expedition which Garibaldi was to captain. In Bertani, Bixio, and Medici he had untiring colleagues. But the plan hung fire. Garibaldi, too canny to be involved in a Mazzinian fiasco, held back. Crispi has always claimed, and the claim is repeated here, that he alone persuaded Garibaldi to go. Guerzoni, Garibaldi's best biographer, denies that any one person had the right to monopolize the credit; yet all agree that it was the production by Crispi of a telegram purporting to bring favorable news from Sicily that clinched Garibaldi's decision. It is commonly believed that Crispi forged the telegram, but his present biographer throws no light on this mystery.

Now follows the body of the work, in which, in the course of 300 pages, we have, from the Crispian point of view, an account of the Garibaldian liberation of Sicily and Naples. Crispi's diary of the voyage to Marsala, if he did not touch it up in after days, is a document of the first importance; and scarcely less noteworthy to the historian are various inedited letters and documents which emanated from him and his friends during that stormy summer. They confirm what we already knew, that is, that in political matters Garibaldi was a child; that he left the government in Crispi's hands; that Crispi displayed unusual

capacity and a tigrine ruthlessness; and that to him, more than to any other individual, was due the postponement of the annexation of Sicily to Piedmont and the kindling of feuds which crackle still in his biographer's pages. Many historians now concede that Garibaldi's refusal to annex Sicily in June or July was wise, but only blind partizans attempt to defend the further delay.

Signor Palamenghi's method of proving Crispi's transcendent genius is to vilify Cavour, and not merely to vilify, but to make him out incompetent, petty, and often idiotic. Such a method of course defeats its object and exposes the animus of its author. You may hold what views you will of their policy and character, but if you attempt to dismiss the Bismarcks and Cavour's of history as puerile, you cannot command respect. The fatal flaw in this biography is that it is written from the 1860 point of view. The charges and calumnies which then flew to and fro from among party spokesmen are not investigated. The immense volume of testimony which has been printed since is not treated critically. The best motive that Signor Palamenghi can allege for Cavour's policy of controlling the revolutionary movement is that he was jealous of Garibaldi's popularity and fearful of being turned out of office! So this book, except for its documents, has slight value as history, although it perpetuates for a later generation the venom which was too large an ingredient of the Garibaldian exploit. Readers of the Marios, of Mazzini, of Pianciani, of Bertani, and of Crispi himself in his earlier phase do not need to be told afresh what that venom was. After granting the amplest honors to Crispi and Bertani for the good they accomplished in 1860, we must still hold them responsible for the evil, which sprang directly from their implacable and fanatic natures. If an American writer should rake up Horace Greeley's diatribes against Lincoln in 1862, and should set them forth without the correction which subsequent events and evidence furnish, he would produce just such a portrait of Lincoln as Signor Palamenghi draws of Cavour. As for Francesco Crispi, the halo here assigned him renders him almost unrecognizable. Like Stanton, he did much important work; but he did it fiercely, remorselessly, and often in a spirit in which personal love of power rather than patriotism seemed to guide him. Halos do not fit such men.

WILLIAM ROSCOE THAYER.

Bayern im Jahre 1866 und die Berufung des Fürsten Hohenlohe.

Eine Studie von KARL ALEXANDER VON MÜLLER. (Munich and Berlin: R. Oldenbourg. 1909. Pp. xvi, 292.)

La Restauration de l'Empire Allemand: le Rôle de la Bavière. Par

A. DE RUVILLE, Professeur à l'Université de Halle. Traduit de l'Allemand par M. PIERRE ALBIN. Avec une introduction sur les Papiers de Cerçay et le Secret des Correspondances Diplomatiques par M. JOSEPH REINACH. (Paris: Félix Alcan. 1911. Pp. xxxii, 327.)

VON MÜLLER's book, which was submitted as a doctor dissertation in the University of Munich in 1908, is a preliminary study for a future history of the ministry of Prince Hohenlohe in Bavaria (1867-1870). His method of treating the events of 1866 is conditioned by this ulterior purpose. His first chapter sketches the position of the German middle states in the last years of the old Confederation and the attitude of the South German parties towards the problem of German unity; outlines the "triad" policy of Minister von der Pfordten, *viz.* maintenance of the Confederation and a Bavarian hegemony in a middle-state group; indicates the *timeo Danaos* attitude of public opinion towards Bismarck's unexpected proposal of a new federation with a representative parliament; and describes more fully the reversal of sentiment which followed the victories of the Prussian armies, the reconciliation between Bismarck and the Prussian Liberals, and the steps taken to organize the North German Confederation. The second chapter is devoted to the personality and political views of Prince Hohenlohe. In spite of his Prussian sympathies, Hohenlohe had failed to understand Bismarck's plans, and as late as the end of March, 1866, he believed that Bavaria would be forced to go, for better or for worse, with Austria. To him, however, the Prussian demand for federal reform and a German parliament seemed serious. He sought and obtained on April 11 an audience with King Louis, and urged Bavarian support of the Prussian proposal. His arguments did not persuade the king; but the favorable personal impression that he produced, strengthened by the fact that events proved his foresight, explains his subsequent appointment to the Bavarian premier-ship. The third and fourth chapters narrate the occurrences of the autumn and early winter months; the conclusion of treaties of peace and also of secret treaties of alliance between Prussia and the South German states; the realignment of parties; the retirement of Pfordten; the formation of the Hohenlohe ministry and the formulation of its programme. The connection between the calling of Hohenlohe and the recalling of Richard Wagner is recognized but reduced to its true proportions.

The book is not of the grade of the usual doctor dissertation. Not only is the material collected and presented according to the best German traditions, with infinite pains and conscientious exactness, but its presentation is marked by a sureness of grasp, a ripeness of judgment, and a clarity and occasional felicity of expression not always found in the writings of older historians.

Some of the more solid of these qualities are lacking in Professor von Ruville's work. This author has avowedly adopted a method of writing history which he calls "the method of the broken coin". The archaeologist who finds an incomplete coin digs further for the complementary fragment, and if the edges match his problem is solved. The historian, confronted with a fact which he cannot explain, searches for an hypothesis. If he can find one which meets his intellectual needs and which is not contradicted by any known facts, his reconstruction is equally satis-

factory—to him. What we have here is, of course, a very old thing with a new name. The method of hypothetical reconstruction has always been used, more or less consciously and with varying degrees of caution, by the best historians. It is also used by writers of historical romances; and the more freely it is employed by a historian, the more nearly his work approaches fiction. The new name which von Ruville has invented he draws from, and perhaps thinks to justify by, a simile. Similes, of course, are not arguments, and his is not even a good simile. Neither the facts which are presented to the historian nor the hypotheses which he constructs have the sharp outlines which make conclusive demonstration of correspondence possible.

Von Ruville's first three chapters cover, more cursorily, the same ground which von Müller traverses. Here the only conspicuous use of the "broken coin" method is to be found in the author's assumption that the secret treaty of alliance between Prussia and Bavaria received a special moral sanction from an exchange of personal pledges between the two kings. For the existence of such a "royal pledge" on the part of Louis the author thinks he has direct evidence in the Bavarian and Prussian throne-speeches of January and February, 1870, ignoring the fact that in monarchic states all treaties are, in theory, personal engagements of the sovereigns and are constantly so described. He further insists that King Louis's loyal discharge of his treaty obligations is explicable only on the theory of a personal pledge of faith. In his fourth chapter he discusses, following Rothan (*L'Allemagne et l'Italie, 1870-71*), efforts alleged to have been made early in 1870 to secure for the King of Prussia the imperial title. Rothan's story, von Ruville says, "should not without further examination be regarded as the expression of the truth"; but after such examination he apparently decides that in its main lines at least it is true. How he reaches this result is not made clear to the old-fashioned student of history.

The second part of the volume (chapters 5-8) is devoted to the relations between Prussia and Bavaria in the summer and early autumn of 1870; the third part (chapters 9-12) to the negotiations, in the latter part of the year, of the treaties which made the South German states members of a new German empire. Here the hypothetical reconstruction of facts centres on the means employed by Bismarck to break the resistance of the South German premiers, especially that of Count Bray (Hohenlohe's successor), to the establishment of a strong imperial government. It is, of course, well known that none of the South German governments except that of Baden really desired such a solution of the German question, and it is ordinarily assumed that it was the logic of the situation and the sentiment of the German people that forced them to sacrifice their independence. Von Ruville has another explanation. In the chateau of Cerçay, belonging to Rouher, the Germans found, in October, 1870, a mass of documents concerning the foreign relations of the Second Empire. A smaller collection of similar documents was seized at St. Cloud. All these were sent to the Prussian Foreign Office

at Versailles. In this mass of papers there was doubtless much South German correspondence; and probably there were letters from the very statesmen with whom Bismarck was negotiating, written at periods when the South German states, solicitous for their independence, were seeking the support of Napoleon III. In 1870, when North and South Germans were fighting shoulder to shoulder against the hereditary enemy, such letters would sound anti-national, morally treasonable. What could be more natural than that Bismarck should have utilized his control of this correspondence to extort from the South German statesmen submission to the Prussian demands? Von Ruville applies no derogatory epithet to such a procedure; but M. Reinach entitles his introduction to the translation: "An Historical Blackmail" ("Un 'Chantage' Historique"). In this instance it is evident that the author's hypothesis is more solidly based and more plausible than in the case of Louis's "royal word". A French historian of the first rank, whose methods are those usually practised by historians and who therefore probably had information not accessible to our author, had previously stated as a fact what the latter suggests as a supposition. Von Ruville himself quotes from Sorel (*Histoire Diplomatique de la Guerre Franco-Allemande*) the assertion that Bismarck made use of the Cerçay papers to threaten the courts of South Germany with revelations which would compromise them in public opinion, and that the very lively fears thus aroused singularly expedited the negotiations. Von Ruville, however, goes further than Sorel. He reconstructs the manner in which Bismarck must have used the documents, varying with the character and temperament of the persons to be influenced. Practically, we are present at the different interviews. All this is in the best manner of the historical romance.

The original German edition of this book appeared while von Müller's volume was printing; and the latter added an appendix of twenty pages: "Zur Kritik von A. v. Ruville." His detailed criticisms are limited to von Ruville's presentation of the events of 1866. He notes and discusses several points on which he and von Ruville differ, devoting most space to the hypothesis of King Louis's "royal word". In dealing with this and other products of the "broken coin" method, his procedure is simple and effective: he shows that the edges do not match by citing facts which are irreconcilable with von Ruville's theories. He shows, moreover, in one instance an almost incredible carelessness on the part of von Ruville in reading his sources. A statement of the latter regarding negotiations between the German governments in July, 1866, at Vienna and Nikolsburg is authenticated by a reference to "Pfordten's narration in the Chamber, October 12, 1866. State Archives, XI." Von Müller shows: (1) that the Bavarian Chamber was not in session in 1866 after August 31; (2) that there is no such narration by Pfordten in the volume cited; (3) that there is, in the volume cited, an extract from the *Bayerische Zeitung* of October 12, reporting remarks made in the Baden Chamber by the Baden minister of foreign affairs; (4) that

these remarks refer to negotiations in July, 1866, between the ministers of the South German states at Munich.

The French version of von Ruville's book reproduces without change all the statements which von Müller criticizes. It reproduces even the reference to Pfordten's lost speech, delivered in empty space.

MUNROE SMITH.

The Life of George Joachim Goschen, First Viscount Goschen, 1831-1907. In two volumes. By the Hon. ARTHUR D. ELLIOT. (London and New York: Longmans, Green, and Company. 1911. Pp. xiii, 321; ix, 300.)

EVERY good contribution to English political biography has usually what may be described as one central value—a value over and above all else in the book that makes it of peculiar service to students of history. Some biographies throw much new light on political movements. Those of Peel and Cobden are typical of this class. Others illuminate a departure in colonial policy or the origin and conduct of a war; and others again add to what was known of ministerial crises of first importance. Goschen was sympathetically and helpfully associated with no great forward movement in English politics in the last half of the nineteenth century. Nominally he was a Whig, although not born into the Whig cult. On some questions—such as the ballot and the abolition of church rates and denominational tests at the universities—he was radical, and quite out of sympathy with the Tories. But on such questions as the extension of the franchise he was much more Tory than Whig. All his life he distrusted and dreaded democracy. He repudiated the contention of radical reformers that the poverty and social squalor of the mass of the people was in any way due to class legislation in the eighteenth century, or that the governing class was responsible for these conditions; and on questions of constitutional change he was almost invariably ready and eager to group himself with the standpatters, whether they were Whig or Tory.

He was of a family, German in origin and pushing in social ambitions, but not sufficiently long established in England to have any political traditions. Temperamentally, however, Goschen was a Tory on most political issues; and the wonder is how he was ever accepted as a Liberal candidate at Ripon and Edinburgh—constituencies that he represented between his service as one of the four members for the City of London (a service ending in 1868) and his election as Conservative for the Hanover Square division of Westminster in 1888. He was a stirring figure in the Home Rule crisis of 1886; he was the pivotal figure in the ministerial crisis at the end of 1887 brought about by Randolph Churchill's unexpected resignation of the chancellorship of the exchequer in the Salisbury administration. There is much new light on both these crises in the early years of the Home Rule struggle at Westminster—particularly in many hitherto unpublished letters from Hartington, and in

Goschen's diaries and letters to his wife. But the central value of the biography—the value that distinguishes it from all political biography since Parker's *Life of Peel*, was published in 1899—is the wealth of new material it contains concerning political parties between Russell's succeeding Palmerston as leader of the Whigs in 1866, with Russell's efforts at that time to give a Liberal tinge to his cabinet, and the split in the Unionist party in 1903, due to Mr. Chamberlain's retirement from the Balfour administration to push his propaganda for a protective tariff.

For the history of changes, developments, and crises in the two great parties, Mr. Elliot's biography of Goschen is the most valuable contribution to political history since Croker's *Diaries* were published in 1885. Cobden once told Goschen—in a letter, February 6, 1864—that he was a fireship likely to be dangerous to both political parties. In his Parliamentary career Goschen was of the Whig, Liberal-Unionist, and Conservative parties, and there were times when he described himself as a Liberal. It is because Mr. Elliot has with painstaking care and with well-presented detail followed Goschen through these recurring crises that his biography is so valuable a contribution to the history of political parties. Detail is especially characteristic of Mr. Elliot in narrating the division in the Whig Liberal party over the Gladstone Home Rule bill of 1885, with the result that the biography of Goschen is the fullest history yet between covers of the greatest crisis in the annals of the Liberal party.

A. Thiers, Chef du Pouvoir Exécutif et Président de la République Française, 17 Février 1871–24 Mai 1873. Par PIERRE F. SIMON. (Paris: Édouard Cornély et Cie. 1911. Pp. xvi, 358.)

M. SIMON's volume was awarded the Rossi prize for 1909 by the law faculty of the University of Paris. It is a study of the Thiers régime rather than of Thiers, the subject of the competition having been the executive in France from the assembling of the National Assembly in February, 1871, to the crisis of May 24, 1873.

The Thiers régime, M. Simon declares, was a unique system of government. The Republic existed, but only as a provisional arrangement. The National Assembly possessed sovereign power and a majority of its members was determined that the Republic should not become permanently established. Circumstances dictated the choice of Thiers as head of the government. Never in real accord with the majority of the assembly, he ruled owing to its acquiescence rather than with its support. In the combined capacities of responsible *chef du gouvernement*, president of the council of ministers, and deputy, he guided and controlled the assembly. Occasionally he yielded a point of minor importance, but upon all of the great questions, the tariff, the army, local government, the majority in the assembly gave way to him until he attempted to force the definitive establishment of the Republic. This reversal of the usual parliamentary process M. Simon attributes to the fact that

until final arrangements had been made for getting rid of the Germans Thiers was "the necessary man" and could dictate his own terms to the assembly.

In the organization and handling of the materials the monograph exhibits the admirable qualities almost invariably found in historical studies coming from French university circles. Within the lines the author has laid out for himself, the work has been well done. In matters of detail there is little occasion for anything but praise. Only in the general scope of the study and in the restrictions as to the materials to be employed is there any considerable ground for criticism.

In scope the study is confined too narrowly to the relations between Thiers and the assembly. These are fully treated. But the other activities of Thiers as chief executive are either passed over entirely or dealt with only in an incidental and imperfect way. In fact, the monograph is more a study of the history of the National Assembly in its relations with Thiers than a study of Thiers as chief executive. Even in that field the scope of the investigation might have been broadened advantageously. Outside conditions and events which exerted an influence upon the assembly are given too little attention. The proceedings of the assembly upon all important matters involving its relations with Thiers are set forth in considerable detail and with commendable accuracy, but no particular effort is made to explain what led the assembly to act as it did upon each measure beyond the furnishing of summaries of the debates, including liberal quotations from the principal speeches. There is no serious attempt to analyze the votes or to discover the reasons for the action of the various groups into which the assembly was divided.

The bibliography contains numerous titles but the plan of the study has called for only a limited use of the greater part of them. Collections of legislative and parliamentary documents have furnished most of the materials used to any considerable extent. Only a very restricted use has been made of newspapers and memoirs. The omission of the latter was perhaps justifiable, although it would seem probable that a cautious and critical use of them might have yielded some important results. The use of newspapers would have required an even greater caution, but the difficulty of their use did not warrant their neglect. For the period with which M. Simon's deals they are valuable material.

FRANK MALOY ANDERSON.

The Cambridge Modern History. Planned by the late Lord ACTON, LL.D., Regius Professor of Modern History. Edited by A. W. WARD, Litt.D., G. W. PROTHERO, Litt.D., and STANLEY LEATHES, M.A. Volume XII. *The Latest Age.* (London and New York: The Macmillan Company. 1910. Pp. xxxiv, 1033.)

THE twelfth volume of the *Cambridge Modern History* covers the period of the last forty years, although some of the chapters go further back than 1870. Mr. Leathes furnishes an excellent *coup d'œil*

of the period as a whole and then contributes a chapter on English history which is weak in description and explanation, at times almost annalistic. The treatment of French history by Bourgeois and of German by Oncken is admirable in knowledge, in exposition, and in discriminating characterization of leading figures, although the latter makes the intrepid statement that the annexation of Alsace and Lorraine was "the inevitable outcome for both nations of several centuries of their history" (p. 136). The opinion that the step was inevitable may be current in Germany but it is not widely held outside. Professor Eisenmann should have been allowed more than thirty-nine pages for the history of Austria-Hungary since 1860 in a volume that allots twenty-eight to Egypt and forty-three to India, particularly as his subject is the most intricate treated in the book. His analysis of the character and significance of Francis Joseph, his statement of the relation of Dualism to Sadowa, his appreciation of Andrassy and his description of the present situation are valuable features of the chapter. Mr. Okey's chapter on Italy discusses the career of Crispi, shows the advance of Italian democracy in the first decade of the twentieth century, and closes with a thoughtful survey of the present economic and social conditions. Professor Pares writes two chapters on Russian history since 1861, chapters overloaded with detail, but throwing many illuminating side-lights upon recent events. Particularly interesting is the indication of the important rôle played by Professor Milyoukov. The chapter on the Ottoman Empire by Mr. W. Miller is a mediocre piece of work, containing however a clear treatment of the treaties of San Stefano and Berlin. The description of the Revolution of 1908 is very brief and insignificant. There are well-informed chapters on Egypt and the Sudan (by F. M. Sandwith); on India (by P. E. Roberts); and on the European Colonies, chiefly British (by E. A. Benians). Sir Robert K. Douglas writes on the Far East. One of the best chapters in the book is that by Professor Longford on the Regeneration of Japan, an excellent account of Japan's progressive steps toward constitutionalism and of the reaction upon the internal structure of her society of the adoption of Western ideas and institutions.

A notable chapter is that by Major F. B. Maurice on the Russo-Japanese War, clear in its narration of events, instructive in its statistical data, interesting in its revelation that after Tsushima and Mukden the two powers were virtually stalemated and that peace was imperative for both combatants.

There are chapters on Spain and Portugal (by Hannay); on Scandinavia (by Stavenow), in which the recent dissolution of the Union of Norway and Sweden is described from the Swedish point of view; on the Low Countries (by Edmundson); on the Latin American Republics (by Kirkpatrick), in which this sentence on Díaz will certainly need revision: "his authority rests not upon terror, but upon a general loyalty which seems to approach enthusiasm" (p. 677). Triana's study

of the International Position of the Latin American Races is a succinct and illuminating presentation of an important subject. The volume closes with five chapters on special subjects. Sir Frederick Pollock's study of the Modern Law of Nations and the Prevention of War is a valuable summary of the growth of international law from early times and a sober and optimistic examination of its recent development in the direction of arbitration and the settlement of international difficulties by judicial process. Mr. Sidney Webb contributes an able chapter on Social Movements, interesting, among other reasons, for the light it throws upon the evolution of the democracy of Great Britain through economic struggles and processes. Mr. Whetham's chapter on the Scientific Age shows the remarkable progress of modern science along various lines. Mr. Rogers's treatment of Modern Explorations is dry and too much like a catalogue. Mr. Gooch closes the volume with a chapter on the Growth of Historical Science since the eighteenth century, a comprehensive review, well developed and characterized by discriminating criticism.

A few errors of detail have been noticed. The amendment to the French constitution to the effect that the republican form of government cannot be made the subject of a proposed revision bears the date of August 14, 1884, not August 18, 1883 (p. 111); by the treaty of March 15, 1873, France was not to be evacuated "by July 5, 1873", but within a period of four weeks from that date (p. 140); the First Hague Conference closed July 29 not June 29 as stated on page 247; Bismarck was not minister of commerce from 1870 to 1890 but from 1880 to 1890 (p. 138); it is not strictly accurate to say that Russia gained Port Arthur in 1898 "on the same terms" that Germany did Kiaochow, as her lease was to run only twenty-five years whereas Germany's was to run for ninety-nine (p. 513). The *Petropávlovsk* was sunk April 13 (p. 581), not in July or August as indicated on page 346. There is a typographical error in the dates of the van Lynden ministry in Holland (p. 244). The date of the defeat of the Home Rule Bill in the Commons is given differently on pages 44 and 84.

The narrative of the *Cambridge Modern History* is brought to a close with the twelfth volume. Two more volumes are to appear shortly, containing maps, tables, and an index. The editors deserve congratulation for having carried through so comprehensive and difficult a task. They have produced a valuable reference work. It is an indisputable convenience to be able to turn to these volumes with the practical certainty of finding an informed and sober treatment of nearly every phase of the history of the last four hundred years, at least of the political history, for the treatment of literary history is fragmentary. This history presents a vast amount of information in the light of modern investigation. It is a work of solid merits, objective, critical, and on the whole impartial, an impartiality which is, however, sometimes secured by gliding gently over contentious subjects, such as the

causes of the Franco-Prussian War and the Boer War. The result is an entirely inadequate discussion in such cases. For instance the diplomacy of Chamberlain is hardly more than alluded to.

But the defects of this history are also conspicuous. Most of the chapters are clogged with facts and the general trend of events does not stand out clearly. We cannot see the wood for the trees. This is of course not uniformly true but it is, in the opinion of the present reviewer, prevailingly true. A multitude of things are mentioned which are not explained, whose significance therefore is not apparent. What shall it profit a man to know the titles of many legislative acts, for instance, or the names of many men, and nothing about any one of them? Again, the narrative in general lacks movement, life, color.

There is a more serious defect. The modern historical student demands the authority for this and that statement, and in his eyes, consequently, the very plan of this history is defective. That plan excludes all foot-notes and all critical examination of sources. We are given practically no aid in controlling our authors. Instead we are forced to rely upon the assertion of the specialist who writes the monograph. Each chapter, we learn from the prospectus, is written by the man who knows it best—a robust claim, whose justification is not always apparent. But even if it were, the passive attitude of accepting statements *ex cathedra* is no longer fashionable among historical students.

It is true that there are bibliographies connected with every chapter and we are told that they have been carefully selected. Now as a matter of fact these bibliographies are useful, but they are useful in the same sense that a library catalogue is useful. They are long lists without description or criticism. One can hardly run through two or three hundred books in the desire to control a statement that may appear doubtful. The bibliographies include titles of the most unequal character and yet no indication is given as to the value of each or its relation to the text. Moreover it is difficult to ascertain the principle of selection followed. A brief examination discloses omissions which are hard to understand in the light of what has been included. A few may be mentioned, in connection with volume twelve. Under chapter I., Oncken's *Zeitalter des Kaisers Wilhelm* and Andrews's *Historical Development of Modern Europe* and his *Contemporary Europe, Asia and Africa* are not given although Gooch's *Annals of Politics and Culture* and Irving's *Annals of Our Time* are. Under chapter v., there is no mention of Labusquière's *Troisième République* or Briand's *La Séparation des Églises et de l'État* or Anderson's *Constitutions and Documents* although Mrs. Latimer's *France in the Nineteenth Century* finds a place between Hanotaux and Lavis et Rambaud. Billot's *La France et l'Italie* and Tardieu's *France et les Alliances* are not mentioned under France, though the former is mentioned under Italy and the latter under Germany. Weill's *Histoire du Parti Répub-*

licain is given under the Third Republic, which it does not treat at all. In the German list (chapter VI.) Headlam's *Bismarck*, Oncken's *Zeitalter des Kaisers Wilhelm*, Howard's *German Empire*, Combes de Lestrade's *Les Monarchies Allemandes*, and Dawson's *Evolution of Modern Germany* are among the missing. In connection with the same chapter there is practically no bibliography of Social Democracy, which the text treats slightly, though there is one of Philosophy, Art and Literature, which it does not treat. Under Spain (chapter X.) Diercks's *Geschichte Spaniens* is not mentioned though an earlier book by that author is. Nor do we find, in a field in which there is none too much literature, Strobel's *Spanish Revolution* nor Gmelin's *Studien zur Spanischen Verfassungsgeschichte des Neunzehnten Jahrhunderts* nor Han-nay's *Castelar* nor Wilson's *Downfall of Spain*. Nor in the Russian section (chapters XII. and XIII.) is Skrine's *Expansion of Russia*, or Kovalevsky's *Russian Political Institutions* or Kennan's *Siberia and the Exile System* to be found. Holls's *First Peace Conference* and Hershey's *International Law of the Japanese War* are not alluded to, and such works as Bryce's *Studies in History and Jurisprudence*, Lowell's *Governments and Parties in Continental Europe*, Reinsch's *World Politics*, and Dodd's *Modern Constitutions*, useful for many chapters, are nowhere to be found. Nor is Douglas's *Europe and the Far East* listed, although Sir Robert, who wrote the chapter on this subject, ought to know that his book is probably the most useful general introduction to the subject.

The list of omissions might be easily extended but this is enough to show that the student cannot rely upon the "careful selection" of the compilers, that he can by no means be sure that all the best titles are included.

The appeal of this history must be to specialists or to professional students, as general readers would probably suffer from vertigo or at least from aggravated ennui in attempting to traverse these pages bristling with facts and names. Yet the critical apparatus which scholars legitimately demand is lacking. This is peculiarly regrettable in a history of modern times in which there are many controversial subjects. Where the contributors pronounce on these issues they necessarily do so in a brief manner. Scholars have a right to some guidance to the controversial literature, some clue with which to thread the maze. This critical appraisal of authorities, which it is assumed the contributors could have given us, as it seems to be implied that they have used in the construction of their narratives the material indicated in the bibliographies, would have been of great value. As the treatment of considerable blocks of history in the text is greatly compressed, frequently forty years to forty pages, it is to be deplored that the scientific equipment which might have supplemented this treatment is so inadequate. Either there should have been foot-notes to the more important matters or there should have been critical or descriptive bibliographies.

CHARLES DOWNER HAZEN.

The First Decade of the Australian Commonwealth: a Chronicle of Contemporary Politics, 1901-1910. By HENRY GYLES TURNER. (Melbourne: Mason, Firth, and McCutcheon. 1911. Pp. xv, 320.)

MUCH of this history is concerned with the rise and fall of cabinets. This is inevitable under the system of responsible government which prevails in Australia. The book, however, has a special interest for Americans. In the first place, it describes the beginnings of a country whose constitution, except as respects the system of responsible government, is copied from our own. In the second place, it deals with political movements which are in actual and powerful operation in Australia, and which are beginning to attain force in this country and Europe. These movements look to the nationalizing of all the means and processes of production and distribution, including the regulation of the supply of labor and capital and the fixing of wages and prices. American readers will be led to reflect whether or not the system of responsible government offers the same safeguards as our own against centralizing tendencies and movements.

As the book shows, the Australian Labor party, starting in 1901, at the inception of the Commonwealth, as a small centre party, became, in eight years, by the backing of organized Labor, the dominant party. During this period the Labor party evolved a definite programme, which received the name of "the new protection". The main feature of this programme was the control of all industrial operations by the federal Parliament, and, as necessary to this, the nationalization of all monopolies whether of land or of industry.

The Australian Constitution, however, like our own, places the control of all intrastate industrial operations in the states and reserves to them the residue of power. It was, therefore, at first attempted by the Labor party to bring about its programme by the use of the power of federal taxation. In 1906, this party secured the passage of an act by the federal Parliament imposing an excise tax on certain industries, which was to be remitted on proof to a federal commission, by these industries, that they had conformed to a certain standard of wages and to certain other conditions relating to price and absence of monopoly. In 1908, the High Court of Australia, in a suit brought before it involving the constitutionality of the act, held it unconstitutional, and the Labor party thenceforth began a movement to change the Constitution so as to permit the federal Parliament to put in force "the new protection" programme. So successful were they that at the session of 1910, acts were passed by the federal Parliament for changing the Constitution so as to permit the Parliament to regulate all trade and commerce; to create, dissolve, regulate, and control all corporations; to control all wages and settle all labor disputes; and to nationalize all monopolies (p. 253). These acts were, by their terms, to be submitted to referendum of the people of the states on April 26, 1911.

The book was published after this action was taken and before the date of the referendum, when Australia and the rest of the world were waiting with interest to see what disposition of the Constitution would be made by the people. Mr. Turner is evidently a conservative, who believes in the maintenance of the powers of the states, and in the rights of the individual according to the Anglo-Saxon sense. The last words of the book are: "The real solution of the future of Australia has been relegated to the people, whose decision on the 26th April will have an important and probably a lasting influence in making or marring the relations between the Commonwealth and the States." The verdict of the people of Australia, given through the referendum, was against the proposed changes in the Constitution.

This does not, of course, detract from the interest of the book. It should have a wide reading in this country.

A. H. SNOW.

BOOKS OF AMERICAN HISTORY

California under Spain and Mexico, 1535-1847: a Contribution toward the History of the Pacific Coast of the United States, based on Original Sources (chiefly Manuscript) in the Spanish and Mexican Archives and other Repositories. By IRVING BERDINE RICHMAN. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xvi, 541.)

MR. RICHMAN'S book is the first history of California under Spain and Mexico to be published in the United States outside of San Francisco. Indeed the only work hitherto available on the history of the state is Professor Royce's volume in the *American Commonwealths* series, which is a study of a single decade designed to illustrate the philosophical ideas of its author. The larger works of Hubert Howe Bancroft and Theodore H. Hittell, published in San Francisco, have notable merits, but they are too extensive for the ordinary reader, and are now out of print. The way was open, therefore, for a survey, within a moderate compass, of the history of California. It has evidently been Mr. Richman's purpose to take advantage of this long-neglected opportunity; and beginning with the Spanish period, it seems to have been his plan to present at once a summary of previous results and an original contribution based upon manuscript materials hitherto inaccessible to students. The work was undertaken in an auspicious moment; for before the author had completed his self-imposed task it became possible for him to harvest the first fruits of the investigations conducted by Dr. Herbert E. Bolton, for the Carnegie Institution, in the archives of Mexico. The author has been equally fortunate in his publisher: the volume is well printed, is amply furnished with maps, and conveys an immediate impression of taste and scholarship.

The typographical arrangement emphasizes the fact that the book consists of two distinct parts—text and notes—which are not very unequal in extent. The text keeps within moderate bounds: Royce took up a fourth more space with his study of the years from 1846 to 1856; Bancroft's treatment of the period to which Mr. Richman confines himself is, roughly speaking, ten times as long. The notes have not been limited in the same degree; they are voluminous and include references to much new documentary material. This, as might be expected (especially as the investigator did not himself visit either Mexico or Spain), is not evenly distributed over the whole period, but refers mainly to the quarter-century following 1768. For the second half of his volume the author seems to have relied on the sources indicated by Bancroft. The notes, it would seem, will be appreciated most fully during the period that must still elapse before the publication of Dr. Bolton's guide to the Mexican archives.

It is with deep regret that it has been found impossible to express an opinion in regard to the results of Mr. Richman's "two years' investigation", without appearing ungracious and censorious. Mr. Richman has an enviable reputation among historical writers in the United States based upon his volumes dealing with Rhode Island; but it must be confessed that in passing to a subject entirely un-English in its literature and institutions, the author's hand has lost its cunning. His *California under Spain and Mexico* is badly written, faulty in construction, full of inaccuracies of detail, and promulgates an entirely erroneous view of the relation of the mission to the government of the province.

In a narrative limited as this is, proportion becomes a matter of the first importance: Mr. Richman disposes of the first 235 years of his subject in less than sixty pages; he gives a total of five pages to the most notable explorers of those earlier years—Cabrillo, Drake, Vizcaino—as against twenty to Kino and Salvatierra, no part of whose work lay in Alta California; he allows as many words to an irrelevant description of a fight between a bull and a bear (pp. 352-354) as to his account of the earliest explorations of the coast (pp. 4-7).

Mr. Richman has much to say of his new materials—and they are indeed important—but it is impossible to discern from his text that the documents cited in his notes have been effectively utilized. How they have been used is illustrated in the case of the Fages diary of 1770. This the author considered of so much importance that he has printed it in translation (made by Miss Emma Helen Blair) as an appendix, and yet, from what he says on page 103, it can only be inferred that he himself has never read it.

Finally, viewing the matter from the standpoint of initiative and primary purpose, it may be said briefly that Alta California was not "founded by priests for the glory of God" (p. 184). The establishments at San Diego and Monterrey were founded, in 1769 and 1770, for definite and well-known political reasons, under the direction of

the officers of the crown. It is, moreover, quite erroneous and improper to say and reiterate that the old and perennial quarrel of captains and friars over mission guards raised in California the question, "Was State Sacerdotal to control State Secular, or to be by it controlled".

FREDERICK J. TEGGART.

The Public Life of Joseph Dudley: a Study of the Colonial Policy of the Stuarts in New England, 1660-1715. By EVERETT KIMBALL, Ph.D., Associate Professor of History in Smith College. [Harvard Historical Studies, vol. XV.] (New York and London: Longmans, Green, and Company. 1911. Pp. viii, 239.)

THE public life of Dudley coincided practically with the period of his manhood. Born in 1647 and graduated at Harvard College in 1665, he was in 1673 elected as representative to the General Court. In 1676 he was elected an assistant and from 1677 to 1681 he held the office of commissioner for the United Colonies. He was also sent to London as agent of the colony.

Up to this time Dudley's public life had been colored only by local politics. The independent commonwealth, founded upon a mercantile charter, having an elective governor, an elective assembly, and an elective judiciary, had survived all the attacks which had been made upon it. Opposition to the crown in Massachusetts during the days of the colony had been practically an opposition of the colony itself. Loyalists were only to be found in the minority party, which is termed by the author the "moderate" party.

The succession of appointive offices held by Dudley after the annulment of the charter, identifies him with the court party and had the natural effect of making him unpopular with his fellow citizens, the majority of whom at this period of the life of the province still clung to the tradition of the elective government in which their fathers had participated. His constant official life, now on the one side of the Atlantic, now on the other, was in itself a testimony to Dudley's influence at court and to his capacity to make use of the power which he controlled. He held successively the offices of president of the council of New England, chief justice of the superior court under Andros, member of the council of New York, deputy governor of the Isle of Wight, member of Parliament, and governor of Massachusetts.

During the days of the colony Randolph tells us that the loyalists were tongue-tied. They did not dare openly to assert themselves. Under the provincial government, with all the appointive offices under control of a royal governor, the band of office-holders were in themselves a power, and the dispensation of patronage, together with the accumulation of wealth in the hands of favored families, created a party which had to be considered in local affairs, but which had not reached the height of its power in the days of Dudley.

By some curious chance, in the performance of one of his official acts Dudley inadvertently and unconsciously did more to build up the power of his adversaries than was accomplished by anyone among themselves. While the far-reaching results of this insignificant act were mainly posthumous and thus do not come within the lines of the exhaustive study laid out for himself by the industrious and painstaking author of this work, still the unwitting contribution to the growth and power of his opponents, by so consistent a loyalist as Dudley, will perhaps excuse a reference to it, even though it should carry us beyond the life of Dudley for the development of its effects.

The event occurred in 1715. The house of representatives was according to our author at this time controlled by "the country party which reflected the old idea". The various points upon which collision took place between Dudley and the house of representatives are set forth in this work with sufficient detail for their comprehension. The noise of these battles did not, however, extend much beyond the walls of the old state house, and their influence must have been largely confined to those who participated in them and to those who could hear about them at the dinner tables and bar-rooms of Boston. There were no newspapers at that time whose columns were open to the dissemination of such news. Wearied with his repeated failures to secure certain legislation, Dudley, on June 20, 1715, prorogued the court, saying to the house in substance, that the members were not earning their pay and that it would be better for the province that they should go home. In order to refute this charge, which they considered a slander, the members of the house at once voted to publish their journal. This policy once inaugurated was thereafter continued and the distribution of copies of the house journal among the small towns brought the knowledge of what was going on in the political world in Boston, for the first time, within reach of the groups gathered in winter round the open fires in the country taverns, and for the first time their discussions could deal with the actual, existing politics, which from session to session controlled their representatives. Thus was established a means of communication with a people not otherwise in touch with current politics; thus was created an active interest in such matters throughout the province, thus was suggested how the same people could be reached when at a later date organized correspondence was desired. Thus also is explained the phenomenal interest in politics which came to be developed in Massachusetts.

The period covered by Dudley's career, apart from the dramatic incidents connected with the overthrow of the Andros government, was full of historical interest. A people who for half a century had maintained an independent government were stripped of their privileges and subordinated to the control of a power whose first thought was of its own aggrandizement. Acquiescence in this transition was never thoroughly accomplished and the collisions with Dudley depicted by the

author show how difficult the situation was. It is with this peculiarly interesting period of political upheaval that our author deals while nominally furnishing details concerning the life and character of a participant. Letters, speeches, official documents, contemporary publications, records in England and in America, furnish the facts which, strung upon a thread of narrative, portray the circumstances of the times, the character of the man, and the extent of his service. The story is told with evident attempt to throw off prejudice and do full justice to a man whose career made him the object of animadversion on the part of many of his contemporaries.

Professor Kimball several times in his narrative draws inferences from the fact that the council was elected by the representatives. The charter required the election of the council by the General Court. The difference was slight and the same inferences would probably be justified by changing "house of representatives" to "General Court" in these references. The assertion on page 89 that Elisha Cooke never sat in the council during Dudley's administration ought to be modified. Dudley relented, and in the fall of 1715 Cooke's name is to be found in the roll of councillors. The statement, page 193, that the charter "directed that in case of the absence or the death of the governor, the administration should devolve upon the lieutenant-governor, or in case of his incapacity, upon the eldest councillor", is not strictly correct; "entire council" should be substituted for "eldest councillor". The affairs of the province were administered several times by the executive council.

Such errors as these are insignificant in a work whose every page indicates patient industry. The author is to be congratulated on having set forth the history of an interesting period, and the friends of Dudley cannot say that he has not done the best he could to make out a case for the governor. The whole subject is opened up to the student by an excellent index.

ANDREW M. F. DAVIS.

France in the American Revolution. By JAMES BRECK PERKINS.
(Boston and New York: Houghton Mifflin Company. 1911.
Pp. xix, 544.)

A SPECIAL interest is attached to this book from the fact that it is the last in a series of notable studies in French history which constitute the writer's title to a place among American historians.

The present volume, published more than a year after the author's death, has been prepared for the press under the supervision of Mrs. Perkins with the valuable aid of Professor Van Tyne of the University of Michigan—a sufficient assurance that we have before us the result of careful editing.

A further tribute to the labors of Mr. Perkins is paid in the introduction to the book written by the French ambassador at Washington,

M. Jusserand, who embraces the opportunity not only to commend the tone and substance of this history but to emphasize the sympathetic attitude of France toward the struggle of the American colonies for independence.

The aim of the author evidently was to present a complete and well-rounded delineation of the part played by France in the liberation of the colonies. To set this in full relief Mr. Perkins begins with a description of the financial, military, and moral condition of the colonies before the French intervention, showing, largely from the writings of Washington, how desperate that condition was. Then follow a rapid summary of the contest between France and England for empire in America, an excellent account of the negotiation and significance of the treaty of Paris, and an analysis of the diplomacy of Vergennes.

In estimating the motives that led to active intervention on the part of France Mr. Perkins exemplifies the admirable balance that is perhaps his most characteristic quality as an historian. His view is that France would inevitably have become our ally, no matter who was at the head of her foreign department; but it was in fact the cautiously exercised influence of Vergennes that overcame the sluggish indifference of Louis XVI., who certainly had no admiration for revolutionists.

But, like every prudent statesman, Vergennes was unwilling to embroil his country in a foreign quarrel without the prospect of advantage from it; and in 1775 he wrote: "The spirit of revolt, wherever it appears, is always a dangerous example." It was not therefore until Franklin had exercised his potent influence, the sentiments of the French people had been touched by the struggle for freedom, and the cause itself had made such advance as to render its triumph certain if aid were promptly furnished, that Vergennes counselled an open alliance with the colonies.

Even from the beginning however public opinion in France was favorable to the colonists, and the government itself was unofficially helpful. It is in the record of the development and expression of this real but officially unavowed friendliness that the dramatic interest of this period of history very largely consists. With strict fidelity to the documentary evidence, Mr. Perkins follows the negotiations of Deane and Franklin and the extraordinary activities of Beaumarchais. The official transactions reveal what we should expect them to reveal, a constant display of political prudence. The mental attitude of Vergennes with regard to the colonists is well expressed in his letter of January 12, 1777, to the Spanish minister. "We know", he says, "that republics are less sensible than monarchies to the requirements of honor, and that they regard fidelity to their engagements only as a means to advance their interests, by which alone their action is determined." With the example of the treatment received by Beaumarchais before him, the minister could have proved that his strictures were not mere innuendo.

While, as Mr. Perkins fully demonstrates, the aid furnished by France certainly shortened, and in the circumstances determined, the

issue of the struggle, there was in the policy of the monarchy no sentiment whatever. Everything was done by deliberate calculation. But, on the other hand, it is not doubtful that the sympathetic attitude of the French nation was an element in that calculation which cannot justly be overlooked.

In the use of authorities Mr. Perkins has displayed intelligence, and has indicated his sources with precision. Strictly original research was not necessary for his purpose. Doniol, Wharton, Loménie, and Durand had rendered accessible the most important contents of the archives, and the period is rich in personal letters, memoirs, and biographies.

Mr. Perkins's enduring title to a place among historians will rest chiefly upon his sincere love of truth, his diligence in seeking it, his sound judgment of men and policies, his lucid style, and his artistic sense of fitness and proportion. His early ambition was to be a man of letters, and in this he was easily successful.

It is due to him as a fellow craftsman that there should be placed on record in this REVIEW some mention of his great merits as a patriotic citizen and as a public officer. His personal purity in politics and his devotion to the public interest were conspicuous. As a representative in Congress through several terms he rose to be chairman of the House Committee on Foreign Affairs, a position which he filled with distinguished ability. It was the expressed intention of the President to appoint him to a high diplomatic post, which he would have adorned. His death was a loss to the nation as well as to historical literature, but he had already won a secure place among scholars in statesmanship.

DAVID J. HILL.

The Origin and Growth of the American Constitution: an Historical Treatise. By HANNIS TAYLOR, Hon. LL.D. of the Universities of Edinburgh and Dublin. (Boston and New York: Houghton Mifflin Company. 1911. Pp. xlii, 676.)

AFTER thirty years of study of the origin and development of the English and American constitutions, Mr. Taylor considers himself amply rewarded in having discovered a "priceless document" that "explains for the first time the real history of the invention of that marvellous system of government . . . given to the world by the Federal Convention" in 1787. The document in question is Pelatiah Webster's *Dissertation on the Political Union and Constitution of the Thirteen United States of North America*, published in 1783. Of this it is only necessary to say that it has always been known to students of the subject, who have not been inclined to Mr. Taylor's view of its importance but who, without disparaging Webster's originality and power of thought, have generally believed that the American Constitution would have taken its present form if the pamphlet in question had never been written, or, indeed, if Webster himself had never lived.

This obsession of the author, that Pelatiah Webster is to be given all the credit for "the great discovery in modern political science" embodied in the Constitution of the United States, dominates this whole portion of the work. It is dragged in at every conceivable opportunity, and sometimes when there is no opportunity at all. All sense of proportion is lost, for everything is subordinated to the development of this one idea. The author admits (pp. vii and 16) with regard to the Webster pamphlet that "so far as this book is concerned, it is a mere episode", but of the 200 pages devoted to the origin of the American Constitution, over one-fifth directly, and many more indirectly are given up to showing its importance.

The author's belief that "despite the long-standing popular misconception to the contrary, no deliberative body ever had its work so cut out and arranged beforehand as the Federal Convention of 1787" (p. 178), has led him among many other misconceptions and errors to accept the spurious Pinckney Plan as genuine and as the basis of the draft of the Committee of Detail. The carelessness and bias which vitiate his treatment of the subject are well illustrated by a single statement that must astonish the managing editor of the *REVIEW*: "Professor Jameson and ex-Chief Justice Nott have, in a luminous and convincing way, demonstrated the genuineness of the copy of that all-important plan furnished by Pinckney to the Secretary of State in 1818" (p. 9).

Such a mishandling of the subject destroys, of course, much of the value that this part of the work might otherwise possess. Mr. Taylor has previously evinced his ability to write readable and popular books upon rather abstruse subjects, but his insistent harping upon one idea, and a mistaken one at that, is almost certain seriously to interfere with the popularity of his work in the present instance.

The remainder of the work, upon the development of the Constitution, is irregular in character as it is in treatment. An excellent chapter (VIII.) on "The First Twelve Articles of Amendment" is followed by one of forty pages on "African Slavery and Its Consequences", while a single chapter of forty-five pages is allotted to "Sixty-one Years of Constitutional Growth (1804-1865)". Chapter XI., on "The Civil War Amendments", properly devotes a large proportion of its space to the Fourteenth Amendment but without adequately developing the scope that has been given to it by judicial interpretation. A short chapter on "Our Colonial System" is followed by one of the longest and of most immediate interest in the book, upon "Inter-state Commerce, Trusts and Monopolies", which would have been rendered more valuable if it could have included the recent decisions of the Supreme Court. A brief chapter, "The Outcome of Our Growth", concludes the text.

A voluminous appendix of 200 pages in smaller type is marked by the faults and virtues of the main work. Twenty documents are included, beginning with the Articles of the New England Confederation of 1643, and ending with the Constitution of the United States, with references to judicial decisions, to date. The inclusion of most of the

items is explainable, if not defensible, but why the Declaration of the Stamp Act Congress, the Declaratory Act of Parliament of 1766, the Mecklenburg Declarations, both spurious and authentic, and the Virginia Bill of Rights of 1776 should be selected, to the exclusion of documents really vital to the argument, it is hard to understand.

An excellent index completes the volume.

MAX FARRAND.

The Letters of Richard Henry Lee. Collected and edited by JAMES CURTIS BALLAGH, Ph.D., LL.D., Professor of American History in the Johns Hopkins University. Volume I., 1762-1778. (New York: The Macmillan Company. 1911. Pp. xxvii, 467.)

THIS excellent edition of the letters of Richard Henry Lee is disappointing in no particular. The interest, the value, the freshness, and the significance are all that such a publication would lead one to expect. Lee was always to the forefront in the revolutionary advance. It was he who drafted the "Articles of Association by the Citizens of Westmoreland", binding themselves "at every hazard, and paying no regard to danger or death" to prevent the execution of the Stamp Act. In July of 1768, he was urging the creation of committees of correspondence, and among the first he congratulated Dickinson and Samuel Adams. April 1, 1776, he was urging independence, and within three weeks pleaded for foreign embassies. He was one of the first on hand with ideas for new state governments and in urging a confederation. In fact he was always ready with vague, general plans for correcting the times that were "out of joint", but rarely with specific devices. True patriot he was, ready to work himself blind and sick for the cause; he was not cool and calm and logical enough to be a great statesman. He became excited and worked madly on Congressional committees until he "panted for retirement from the most distressing pressure of business I ever had conception of". As a member of the war committee Lee writes letters that give much light on the military plans of Congress, Washington's relations with that body, and its difficulties in getting military supplies. The part which necessary inoculation against smallpox played in delaying the organization of armies in America is graphically shown in Lee's letters. Radical as he was he saw clearly the incongruity of democracy and military efficiency. He scolded constantly about the folly of the militia system, and urged the formation of regular armies. His plea for a naval force is insistent, and his letters furnish much detail about the British blockade of the coast, especially of Maryland and Virginia. America was like an island, he declared, and could not hope for decisive victory while Britannia "ruled the waves". As early as July 22, 1777, he foresaw Burgoyne's defeat or capture, because at his distance from the sea no naval rescue was possible. "Curse their canvas wings", he cried. After the French alliance and the coming of the French fleet, he was sure of ultimate success.

Lee's judgments like those of most men were a mixture of good and bad. He sent out to friends a good deal of misinformation, especially rumors of British misfortunes, which he accepted with optimistic eagerness. The *ignis fatuus* of a Spanish alliance he pursued till the dawn of peace. He had a most provincial confidence in foreign adventurers, urging Virginia ceaselessly to employ one to train the state's artillery. The flight of Congress to Baltimore he resisted to the last, necessary though it was. Finally, he approved of breaking the Saratoga convention. On the other hand he showed the greatest good sense in urging the necessity of taxation to sink the vast paper money issues. Again, he saw as clearly as Franklin how little significance there was in Howe's capture of Philadelphia. As to men his judgment was often bad. One can forgive him his amiable overestimation of his truculent, trouble-brewing brother, Arthur Lee, and even his implacable enmity to Silas Deane, for fraternal communications corrupted him there; but his enthusiasm over Gates, and the fact that he apparently brought that wolf, Charles Lee, into the fold—introducing him as the “able friend of liberty and mankind”, that “warm, spirited foe to American oppression”—is less creditable to his judgment. In Lee's personal affairs there is much of interest. There is evidence that he and other Virginians were hard pressed financially in the period before the war, enough, indeed, to account for their discontent. In fact these letters reveal that the Virginian, with all of his scorn of the “Yankee pedlar”, was quit: as much engrossed with selling his tobacco, as was the trader with the sale of his Yankee notions. Lee's early letters are filled with data about the methods of trade with England, how vessels were loaded, the troubles with captains, the buying of clothes, medicines, and even eyeglasses, from over the sea.

Lee spoke and wrote habitually in rather exaggerated language. The Stamp Act's “intrinsic vileness”, the “parricidal heart” of the stamp collector, “the diabolical wickedness of that execrable court”, and the “infamous perseverance of the devils of despotism” are the only rhetorical outlets for his feelings. Against the Tories he is very bitter, and also against the backward states Maryland and Pennsylvania, while the idea of reconciliation is a red flag to this revolutionary Taurus. He is as sentimental, or rather sententious, as Joseph Surface, going repeatedly into long moral disquisitions. Some phrases, like “sunshine of liberty” and “dark arts of tyranny”, become wearisome. With Latin phrases and the classic myths he shows acquaintance, also with French and French authors—especially Montesquieu. Shakespeare, Pope, Junius, and Butler's *Hudibras* are the English literary fields where he had most gleaned.

Dr. Ballagh's editing leaves nothing to be desired. It is a model of what such work should be. The second volume will of course contain an index, and with that the publication is beyond criticism.

C. H. VAN TYNE.

Louisiana under the Rule of Spain, France, and the United States, 1785-1807: Social, Economic, and Political Conditions of the Territory represented in the Louisiana Purchase, as portrayed in hitherto unpublished contemporary accounts by Dr. Paul Alliot and various Spanish, French, English, and American Officials. In two volumes. Translated or transcribed from the original manuscripts, edited, annotated, and with bibliography and index by JAMES ALEXANDER ROBERTSON. (Cleveland, Ohio: The Arthur H. Clark Company. 1911. Pp. 376, 391.)

THE volumes prepared by Mr. Robertson on the social and political condition of Louisiana about the time of the cession to the United States form a most valuable and interesting aid to the student. Many of the documents in the volumes, though not printed before, were used by Mr. Henry Adams in his richly documented *History of the United States*, being printed from his transcripts, now in the Bureau of Rolls and Library at the Department of State in Washington. But others represent materials quite new to the ordinary student, chiefly from the increasing collection in the Library of Congress. In his preface, the editor explains that the papers reprinted represent merely a selection from the documents available, omitting, for example, all papers bearing upon the Burr episode. The richness of the material selected can be understood from a few items. In the first volume we have a very full and free account of Louisiana by Dr. Paul Alliot, a new document given in French and in English; an account of the political condition of Louisiana about 1785, by the Spanish intendant, Martin de Navarro, showing the nervousness of the Spanish officials lest the English or the Americans should penetrate the barrier which they sought to interpose above Mexico; a similar document from Governor Gayoso de Lemos on conditions in Louisiana, 1792; and a military report on Louisiana and West Florida, by Carondelet, 1794. In the second volume, we have the correspondence of the English ambassadors in regard to the purchase of Louisiana by the United States; the very significant Casa Irujo correspondence indicating the anxiety of the Spanish upon that subject; a fairly complete collection of documents relative to the vexed question of the boundaries of Louisiana, from Spanish and French officials and from Claiborne and Wilkinson; considerable excerpts from the letters of Claiborne to Madison and others; and Vicente Folch's reflections on Louisiana, showing, in his own words (p. 328) "the dangerous tendency of the retrocession of Louisiana to the French government", and the fears excited in the breast of every patriotic Spaniard, continues the governor of West Florida, by that retrocession.

The selection of documents to illustrate conditions in Louisiana seems to have been made with care. We have the opinions of officials and the impressions of unofficial observers, Spanish, French, and American. We could hardly expect more in the compass of two volumes; but we cannot help expressing a regret that the editor did not carry out the "intention

to compile a calendar of all the manuscript letters treating of Louisiana for the period embraced in the documents of the volumes, which exist in the Library of Congress and in the Department of State in Washington". The need for such a compilation is rather emphasized by the avowedly imperfect nature of the bibliography and notes. The editor, being called away from Washington before his work was completed, has given us work that is somewhat uneven in these important matters, with omissions which he, of course, could not help, but which we cannot supply. This part of the work, therefore, represents a starting point, rather than a definitive study.

The document given chief place in the collection is the memoir by Dr. Paul Alliot, a physician whom we might harshly call a quack, since he professed to cure (I. 146) practically all diseases, including "cancers or cankers, even after gangrene has set in". Dr. Alliot, after a quarrel with officials and with a wealthy surgeon at New Orleans, was deported and variously persecuted. Hence his reflections upon Louisiana are not unsuited with personalities, and are perhaps the more valuable in that he has manifestly set himself the task of delivering a plain unvarnished tale, which becomes in some measure a tale varnished by his resentments. The volumes are generally well printed, but not free from errors; one of these, on page 82, misprinting the last letter of the French word *con*, produces a complete inversion of the sense. But though there are few misprints that matter, one can not but regret that the translation of Dr. Alliot's French is so stiff and unidiomatic. We have space for but one illustration: the French *appointement*, preferably in the plural, is not equivalent to English *appointment*, by which it is rendered (pp. 77, 79), but should be given idiomatically, salary or stipend.

PIERCE BUTLER.

A Documentary History of American Industrial Society. Edited by JOHN R. COMMONS, ULRICH B. PHILLIPS, EUGENE A. GILMORE, HELEN L. SUMNER, and JOHN B. ANDREWS. Prepared under the auspices of the American Bureau of Industrial Research, with the co-operation of the Carnegie Institution of Washington. With preface by RICHARD T. ELY and introduction by JOHN B. CLARK. Volumes VII., VIII., IX., and X. *Labor Movement.* (Cleveland, Ohio: The Arthur H. Clark Company. 1910-1911. Pp. 364, 346, 379, 370.)

VOLUMES VII. and VIII. of the *Documentary History of American Industrial Society* cover the history of the American labor movement from 1840 to 1860. These two volumes differ widely in their plan from the two preceding volumes which dealt with the period 1820-1840 (reviewed in this journal, XVI. 359). This difference is due to the difference in the character of the movement in the two periods. From 1820 to 1840 the labor movement possessed unity and continuity while from 1840 to 1860 it was broken up into several unconnected and even

opposing movements. The result is that while the sections in volumes V. and VI. deal with the history and activities of various labor organizations arranged in the order of their emergence, the sections in volumes VII. and VIII. deal with various movements which in part are contemporaneous and conflicting. The documents are divided into five groups according as they relate to Economic and Social Conditions, Owenism and Association, Land Reform, Hours of Labor, and Labor Organizations.

The first group of documents, entitled "Economic and Social Conditions", is intended to afford a view of the conditions which influenced the labor movement of the period. They relate chiefly to immigration and the rising factory system. Although none of the documents in this group throws new light on the economic conditions of the period, they are well selected to illustrate those conditions.

The section devoted to Owenism and Association consists chiefly of extracts from the *New Moral World*, the *Harbinger*, and the *Phalanx*. They enable the reader to follow the chief events in the Fourierite movement, but they do not add much to our knowledge. Noyes, Nordhoff, and Hinds appear to have exhausted the material on the subject. Few parts of American social history have been studied so assiduously as the communistic experiments and it was hardly to be expected that much new material would be found even by such diligent search as is here in evidence.

The documents under the head of Land Reform lie in a field much less tilled by historians and the treasure turned up has been correspondingly richer. The documents cover the development of the "Vote yourself a farm" propaganda, its relation to other movements of the period, the Industrial Congress, and the debates on the public lands in Congress in 1846 and 1852. The sources are chiefly the *Workingman's Advocate* and *Young America*, workingmen's newspapers published by George Henry Evans, the prophet of the movement. There are also numerous extracts from the *New York Daily Tribune* and the *Congressional Globe*. The documents are highly interesting since they show that the inception of the homestead-exemption legislation of the forties can be traced directly to the influence of Evans and the workingmen's movement of which he was the father. The editors also show that the ultimate adoption by the federal government of the policy of granting lands to actual settlers was largely due to the same influence.

The documents relating to hours of labor are chiefly drawn from the *Atw*, the *Voice of Industry*, the *Workingman's Advocate*, and the Massachusetts state documents. They deal with the proceedings of the New England Workingmen's Association, 1845-1847, the reports made by the committees of the Massachusetts legislature on the effects of long hours of labor, and the New Hampshire and Pennsylvania ten-hour laws passed in 1847 and 1848. The most interesting of the documents are the extracts from the labor newspapers of the period, in which the development of the agitation and the views of the leaders are shown with great clearness.

The final section, on Labor Organizations, covers a wide range, *e.g.*, convict labor and the organization of women workers. The most important set of documents relates to the organization of co-operative and benevolent trade-unions from 1845 to 1851. The New York State Industrial Legislature and the New England Industrial League were the offspring of this movement. It is clearly shown by the documents here printed, consisting chiefly of extracts from the *Mechanic's Mirror*, *Workingman's Advocate*, *Voice of Industry*, and other labor newspapers, that productive co-operation was much in favor at the time as a solution of the labor problem.

In 1853-1854 there was, as is well known, a rapid increase in the number of trade-unions which relied on collective bargaining and not on co-operation. The oldest American national trade-union dates its continuous existence from 1850. At least five national unions still active—the printers, the hatters, the stone cutters, the glass bottle blowers, and the iron molders—were organized between 1850 and 1860. It is disappointing to find no documents relating to the organization of these unions. The only documents relating to the revival of "pure and simple" trade-unionism are the proceedings of a central labor union in New York City and of a New York state convention of cigar-makers.

Volumes IX. and X. cover the history of the American labor movement from 1860 to 1880. The documents are divided into seven groups, entitled Labor Conditions, National Labor Union, Ira Steward and the Hours of Labor, International Attempts, Knights of Labor, and Farmers' Organizations.

The documents in the section devoted to Labor Conditions relate to the increasing cost of living due to the Civil War and to the inflation of the currency, the importation of European and Chinese labor, and the organization of employers' associations. The documents relating to the first two subjects are merely illustrative of conditions already well known to students, but those relating to employers' associations are important, since they show that the employers were better organized at this period than has heretofore been supposed.

The group of documents relating to the National Labor Union is one of the most valuable in the *History*. Apparently only the proceedings of the second session were printed separately, but accounts of the proceedings of the other sessions have been found by the editors in *Fincher's Trades Review*, *Daily Evening Voice*, *Workingman's Advocate*, and other labor newspapers of the period. It is a matter of regret that the editors have not reprinted these accounts in full. Probably on account of limitations of space, numerous omissions have been made. Brief editorial summaries supply to some extent the gaps, but the usefulness of the accounts as historical material remains greatly impaired. The National Labor Union is of interest not only to students of trade-unionism as the precursor of the Knights of Labor and the American Federation of Labor, but also to students of the political and social movements of the time. From 1866 to 1871 the National Labor Union

was a meeting-place for the advocates of woman's suffrage, cheap money, co-operation, eight-hour legislation, and almost every other panacea for social and industrial evils.

The eight-hour movement which began to be important in the United States in 1863 is attributed by the editors largely to the efforts of Ira Steward, a Boston machinist. The documents relating to this movement are chiefly pamphlets and addresses by Steward.

The documents in the section on International Attempts are comparatively few and relate chiefly to the attempts of the leaders of the International in the United States to secure control of the National Labor Union. The most important documents are extracts, now printed for the first time, from the copy-book of F. A. Sorge, the leader of the American branch.

The documents relating to the Knights of Labor are disappointing both in number and character. They are intended apparently merely to illustrate the secrecy of the order and its resemblance to the fraternal associations of the period, and consist of the initiation ceremony, the founding ceremony, the great seal of the order, and an extract from the *National Labor Tribune* on the rapid spread of secret orders.

Of the documents relating to Farmers' Organizations about one-half are from Periam's *The Groundswell* and Kelly's *Patrons of Husbandry*. Nearly all the remainder are from the *Proceedings* of the National Grange of the Patrons of Husbandry. The extracts for the most part are brief and with numerous omissions. They serve however to illustrate the salient features in the development and activities of the Grange.

Volume X. contains a finding list of the sources quoted and an elaborate index to the entire *History*.

GEORGE E. BARNETT.

Rapport sur les Archives de France relatives à l'Histoire du Canada.

Par J.-EDMOND ROY. Publié avec l'autorisation du Ministre de l'Agriculture, sous la direction de l'Archiviste. [Publication des Archives du Canada, no. 6.] (Ottawa. 1911. Pp. 1093.)

THIS report is the result of a five months' mission to France the object of which was, first, "to study the organization of the archive depots of that country and the method of classifying their manuscripts", and secondly, "to prepare a general inventory of the documents in those depots of interest to Canada". As regards the study of French archival administration it must be confessed that it has by no means received that comprehensive and logical treatment that would make the book of value in the solution of Canadian or American problems. A few of the better known facts in the history of the French archives, extracts from laws and decrees, and superficial descriptions of the conditions in certain depositories, are scattered through the volume, but one will learn far more in less time by consulting the article Archives by M. Lelong in the *Répertoire Général Alphabétique du Droit Français*.

M. Roy has fulfilled the second object of his mission by extracting, mainly from printed catalogues and inventories, all that seemed to him of interest for Canadian history. This he has done so comprehensively that it seems hardly probable that any public depository of archives or manuscripts in France at all likely to contain important Canadian material has been passed over. It is evident however that such a compilation adds very little to the readily obtainable information already at our disposal. With the exception of the few cases where M. Roy has copied from unprinted inventories (mainly in the Dépôt Hydrographique de la Marine), or has himself examined the documents (principally in the case of about fifteen volumes in the Ministry of War, a few volumes in the colonial archives, and a larger number of volumes in the Bibliothèque Nationale) his report might as well have been compiled in Ottawa as in Paris, and most students will probably still prefer to examine the catalogues for themselves. Indeed it will be much better for them to do so, for the present compilation is doubly misleading. Not only does it mention volumes which upon examination are found to contain nothing even remotely relating to Canada, but it fails to indicate, even by suggestion, a vast number of volumes that do contain material. For example, out of about a hundred volumes in the archives of the Ministry of War that have been found to contain documents relating to Canada only thirty are mentioned by M. Roy. The number of volumes in the Bibliothèque Nationale which he mentions could be greatly increased, and his indications respecting Canadian material in the Archives Nationales are so inadequate as to be derisory.

The workmanship of the report is intolerably poor. Proper names, even when copied from printed volumes, are continually misspelled, shelf-marks are erroneously indicated, documents are incorrectly dated, such terms as *ibidem* are wrongly used, and, in general, typographical infelicities abound to such an extent that one wonders if the proof-sheets were even looked at. Furthermore there is much padding either by useless repetitions or by the inclusion of material that is unnecessary or actually out of place in such a report, such as twenty pages on the trial of Bigot, or fifty pages of documents relating to Acadian families.

Finally it should be noted that the appearance of considerable learning imparted to the report by the numerous historical and bibliographical paragraphs and foot-notes is due to the fact that this equipment of scholarship is, for the most part, taken bodily, without quotation marks or other indication, from the various catalogues and other printed works that have been consulted and especially from the classic manual by MM. Langlois and Stein, *Les Archives de l'Histoire de France*.

W. G. LELAND.

MINOR NOTICES

Psychology of Politics and History. By Rev. J. A. Dewe, M.A., Professor of History at the University of Ottawa, Canada. (New York and London, Longmans, 1910, pp. v, 269.) "It is an undoubtable fact that states do not remain in the same condition." Owing partly to outside influences but chiefly to influences within the nation, there is a general movement toward progress or decay, toward greater strength or weakness. "It is the purpose of this volume to show what are the general and fundamental laws and tendencies that govern this movement."

These laws, the author is persuaded from the outset, lie in the psychological field. "Human passions, human desires, and the complex movements of the human mind are the real elements that have to be taken into consideration." Now, "society is made of individuals, and therefore what the individuals are, that society as a whole must be." Accordingly, "the object of our research must be to consider scientifically the constituents of this [human] element in the individual and then to see how its workings affect the condition of society".

Pursuing thus "first, the study of what happens to the individual, and secondly, the study of the symptoms of corresponding phenomena in the nation itself", Mr. Dewe sets forth that "there are approximately eight psychological tendencies or laws which explain the progress and decline of nations". Among these is what he calls, in one place, "harmony of the social element", in another, "harmony between the state and extra-state elements". One of the points he makes in the chapter devoted to this matter should give some fair impression of the book as a whole. The suppression of monasteries and dispersion of religious orders, he says, are a result of a noxious maxim about the extent of the state's authority. "While it is admitted that the Church can and should suppress those orders which by interfering unduly in politics, or by entangling themselves in financial difficulties are a menace to the welfare of society, yet the unauthorized suppression of monasteries and convents by the State is a violation of the extra-state rights of man. . . . Man's right to cultivate virtue cannot be impugned. And a part of this right is the association of persons into a society or organization whose sole purpose is the practice of virtue" (p. 63).

Mr. Dewe's book, quite clearly, is a work neither of psychology nor of history. It rather offers guidance in practical politics—guidance based in some sort on psychology and history.

The Place of History in Education. By J. W. Allen, Hulsean Professor of Modern History at Bedford College, University of London. (New York, Appleton, 1910, pp. vii, 258.) This volume is apparently an exact reprint of the English edition which appeared two years ago. It is a searching examination of the definition and nature of history, and of its place in a scheme of education. It is closely reasoned and almost over-particular in the desire to anticipate and meet every possible objec-

tion to a point of view. History is defined as the result of a treatment of the past life of humanity by the human mind. This treatment the author regards as a science, the object of which is to ascertain "truth as exact as we can get it"; and he regards determinism as an indispensable assumption for dealing with this science. The supreme object of the historian is a knowledge of causal relations: "He needs facts only to explain other facts" (p. 41). The author holds that the scientific historian has no business with the dramatic or the picturesque, the tragic, the comic or the pathetic, all of which are merely irrelevant. He does not object to a treatment of history as a pageant, provided it is avowedly non-scientific, and is admittedly literary and for entertainment, and not for instruction. Nearly half of the volume is devoted to this preliminary discussion.

The author next proceeds to discuss the nature of education, among the prime objects of which he finds "the emancipation of the intelligence" (p. 123). "We want to make it easy and even habitual to suspend judgment" (p. 124). For such training he finds value in the study of scientific history, and discusses the materials and methods to be used in teaching it. He has no toleration whatever for the teaching of history with a distinctly patriotic or moral aim. A brief but interesting chapter "Concerning Differences of Sex" holds that "the education that will be good enough for women will be just good enough for men". The discussion of the beginnings of historical study is sound and extremely suggestive, great emphasis being rightly placed on the study of the village or community as a society in little (p. 195). From this it is easy to work back to government, and to introduce the idea of time and change. The author prints three brief studies on "The Reformation", representing in purposely exaggerated form the Protestant, the Catholic, and the social-political point of view.

The volume is unique in this field, and a very suggestive and stimulating study which American teachers may read with great profit.

J. M. GAMBRILL.

The Study of History in Secondary Schools. Report to the American Historical Association by a Committee of Five; Andrew C. McLaughlin, Charles H. Haskins, James H. Robinson, Charles W. Mann, James Sullivan. (New York, Macmillan, 1911, pp. 72.) The Committee of Five making this report, appointed in December, 1907, was composed of three college professors and two secondary school men; of the latter, however, Mr. Charles W. Mann died a little over a year after the committee was appointed. Two members of the committee were also members of the Committee of Seven which reported upon the same subject in 1899. While taking the report of the earlier committee as its starting-point, the Committee of Five made a new study of the actual conditions of history teaching in the schools, and again entered upon a careful consideration of the history curriculum. In this study and consideration it obtained facts and opinions from all parts of the country

through answers to circulars of inquiry and by discussions in meetings of history teachers.

The report is much briefer than that of the Committee of Seven; it embodies few statistics, has no consideration of the purpose of history teaching, gives few detailed suggestions as to method, and in all contains less than nine thousand words. Yet it is in many respects a model of what a committee report should be. It is sane and self-controlled in the face of strong temptations toward radicalism and controversy; it is helpful and stimulating, so that any teacher of history will rise from its perusal a better teacher and a more enthusiastic historical scholar; and it is written in such an interesting style that the reviewer believes it will be read with pleasure by many not actually engaged in the teaching of history. The report divides logically into two unequal parts; the larger portion containing a consideration of the best ways of handling the historical periods recommended by the Committee of Seven, the remainder being devoted to a discussion of proposed new courses in history.

In discussing the four divisions—Ancient, Medieval and Modern, English, and American—the report first notes how widely these periods have been adopted throughout the country; then it proceeds to answer some criticisms which have been made to the division; and lastly it suggests practical means for rendering this course of four subjects more manageable. More important than any questions of curriculum is the securing of properly trained teachers of history. Under such teachers the schedule will be practicable, because they will not try to cover the “whole range of history with a layer of information of uniform thickness”, but by wise omissions and clever condensations in some places will find time to plough deeper in others. This sentence gives, indeed, the key-note of the whole report: in the ancient history course the constitutional development of Athens and of Rome should be subordinated to those facts which the first-year high school student can comprehend; in the other fields the unimportant and unintelligible must give place to the significant and the comprehensible. The teacher, closely in touch with the facts of history and with the psychological limitations of his class, must continually select his material. Eschewing mere memorizing on the one hand, and indistinctness and uncertainty on the other, he should obtain two products from his students: a firm grasp of a reasonable quantity of facts, and a sense of the meaning of historical facts and appreciation of what history is. Under the American history course, the report advises the giving of American history and American government as two parallel courses in the fourth year, three-fifths of the time to be given to history and two-fifths to government.

In the second place, the report submits a suggested new schedule of courses, growing out of the strong demand recently appearing for a greater emphasis upon modern history. This schedule includes (a) Ancient history to about 800 A.D.; (b) English history to 1760, showing as far as possible the chief facts of European history and something

of the colonial history of America; (c) Modern European history from about 1650, with an introductory account of antecedent development, and including the history of England from 1760, and something of American colonial history; (d) American history and government. This schedule it is not proposed to substitute for the old at once in every school; it is presented by the committee as meeting the demand for a more detailed study of recent European history, and as practicable in schools which are well equipped to take up the serious study of the modern period. In the opinion of the reviewer, it would not be possible to extend it at all widely until history teachers are better trained, until new text-books are written, and until history classes are better equipped with the materials needed for their study.

A. E. MCKINLEY.

The Roman Wall in Scotland. By George Macdonald, M.A., LL.D., Honorary Curator of the Hunterian Coin Cabinet, University of Glasgow. (Glasgow, James MacLehose and Sons, 1911, pp. xvi, 413.) The new book on Antonine's Wall is popular in style, while scientific in substance. All the evidences are collected and skilfully discussed. That two such works as this and Mr. Curle's *A Roman Frontier Post* should appear almost simultaneously is an evidence of activity in Romano-British archaeology. In fact the discoveries made at Newstead and splendidly presented in Mr. Curle's book are an incentive to exploration; Dr. Macdonald makes frequent reference to them and is inspired (*e.g.*, p. 201) with great hopes of further pits awaiting the spade. His work not only is a masterly résumé of knowledge and opinion on the Wall, especially of the advance made in the last decade or two, but looks forward with suggestions to continued and profitable excavation.

Dr. Macdonald expresses a justifiable confidence (p. 383) that his book gives "a clearer picture of the fortunes of the Limes than it has hitherto been possible to obtain". In the first 90 pages he sketches the literary tradition, the Roman military and frontier system, and the older antiquaries' writings on the Limes. Then comes a general account of wall, ditch, "outer mound", and military way, followed by an itinerary of the route redolent of the pedestrian's intimacy. The comparative method is employed, with just knowledge of the German Limes, both here and in the study of the remains of the forts, which comes next and is perhaps the most important part of the work. After some chapters on inscribed stones and miscellaneous remains, the conclusion sets forth very clearly the import of the Limes to be not so much a war defense as (1) to impress the natives both north and south, and to mark the Roman boundary, (2) to keep watch over peace from forts unusually high-placed and provided with beacon-towers, (3) to keep frontier traffic to the recognized roads and prevent smuggling, (4) to cut down "isolated marauders". Its garrison of auxiliaries was probably not over 10,000 for the 36 miles of length, and thus, while its tenure lasted (some 40 years in the latter second century), it was a gendarmerie rather than an army.

On page 50 the author says that "the British legions were not necessarily raised locally in the age of the Antonines; every rule has its exceptions, and the area of the Romanized part of the province was small compared with the size of the force that the military situation demanded". Were any but a few Britons, apart from those drafted abroad, ever Romanized?

On page 65: "It would be a mistake to assume that the [defensive] policy of Augustus was abandoned through mere lust of power. The change was due rather to the irresistible pressure of circumstances. We can see this more clearly by noting what happened on the Rhine." Much more clearly indeed. What good reasons can be given for Claudius's invasion of Britain? As Dr. Macdonald says (p. 66, note 2), Claudius's withdrawal from Germany was probably due to "the strain that the conquest of Britain was imposing on the military resources of the Empire".

A very pleasing vein of humor crops out here and there in the book. It is interesting throughout. The illustrations are profuse, judicious, and handsome, the plans clear and well placed, and the index generally good.

W. F. TAMELYN.

Sidelights on Teutonic History during the Migration Period, being Studies from Beowulf and Other Old English Poems. By M. G. Clarke, M.A. (Cambridge, University Press, 1911, pp. xiv, 283.) These studies "form an attempt to discover the amount of historical truth underlying the allusions to persons and events in the Old English heroic poems". The subject is one that has engaged the attention of many notable scholars; but Mr. Clarke is probably the first who has tried to investigate the entire field. The author rejects the older theory of mythological significance; he feels satisfied that with the exception of the Weland Saga all the tales have historical bases, though there has been much poetic amplification in every instance. Mr. Clarke reaches this result by a comparison of all the various forms in which the materials appear, Latin, Old English, Old Norse, and German; but most credence is given to the Anglo-Saxon versions, as they are the most ancient. These begin with *Widsith*, the core of which belongs to the fourth century, and close with the Beowulf materials which must have come to England about 550. In those days the famous Rolf Kraki ruled in Denmark, with suzerain authority, as the author believes, over Gauts and Swedes. Among his henchmen was one Bodvar Bjarki, the hero of the *Bjorkamál*, who has been identified with Beowulf, an identification that Mr. Clarke accepts. He also accepts the identification of the Geats with the Gauts in southern Sweden and rejects Bugge's hypothesis that they were not Gauts but Jutes. Bugge's belief received new support in a paper by Dr. Schütte of Copenhagen which was read at the recent meeting at Chicago of the Society for the Advancement of Scandinavian Study (*Publications*, vol. I., no. 1). Should this view prevail, Mr. Clarke's argument would need considerable revision. He concludes that Walter

of Aquitaine was really a Sueve or a Vandal belonging to one of those tribes that broke the Rhine frontier in 406-407. The Hengist of the Finn fragment he is inclined to regard as the Hengist of the Jutish invasion, in spite of the fact that the fight at Finnsburg was more than two generations subsequent to the landing at Thanet. Mr. Clarke has written an exceedingly interesting and suggestive work, but to accept all his conclusions would be a risky matter, as he is skating on extremely thin ice.

LAURENCE M. LARSON.

Die Gesetzgebung der Normannischen Dynastie im Regnum Siciliae. Von Hans Niese. (Halle a. S., Max Niemeyer, 1910, pp. vii, 215.) The thesis of Dr. Niese's book is that the law of the Norman kingdom of Sicily, instead of being of Roman and Byzantine origin as has been commonly supposed, was fundamentally West-Frankish, having been in part imported by the conquerors as Norman custom and in part developed by the kings of the twelfth century under the influence of Anglo-Norman and Angevin precedents. This view is elaborated with learning and acuteness and a certain measure of success, but it is not firmly established. Like too many German writers upon the history of law, the author suffers from the effort to carry out "ein durchgehendes Prinzip" and relies too frequently upon doubtful interpretations of single texts. He shows, however, a wide acquaintance with the legal sources of the period, including the Roman and canonical as well as the Germanic; his detailed analysis of the legislation of King Roger and his immediate successors is distinctly useful. We shall look with interest for the work on the legislation of Frederick II. to which this volume is designed to furnish the introduction. If Dr. Niese develops caution in proportion to his learning and ingenuity, he should be able to contribute considerably to the solution of a complicated and fascinating group of problems in the history of medieval institutions.

C. H. H.

König Robert von Neapel (1309-1343): Seine Persönlichkeit und sein Verhältnis zum Humanismus. Von Walter Goetz. (Tübingen, J. C. B. Mohr, 1910, pp. v, 72.) This is a sane and readable attempt to estimate the place of Robert the Wise in relation to the intellectual development of the fourteenth century. The author does not try to make Robert appear as a creative force, but rather as a many-sided personality who maintained a receptive attitude toward the new tendencies of his age. The king's temper was essentially scholastic, but he showed some appreciation of classical antiquity, and after all, as Professor Goetz well says, it was the scholastic revival of antiquity which opened the gates of the ancient world to the humanists. It is pointed out that humanism at the Neapolitan court did not begin with Petrarch, whose relation to the fore-runners of the Renaissance, in the kingdom of Naples and elsewhere, remains a matter of much obscurity. Goetz prints the headings of King

Robert's extant sermons, two hundred and eighty-nine in number, as they appear in the manuscripts; one wonders whether originally there may not have been, besides the occasional discourses, a complete series for Sundays and saints' days throughout the year. The author criticizes severely his predecessors, especially Baddely, for their neglect of the Angevin registers at Naples, but he does not himself appear to have made direct use of this inexhaustible storehouse of material.

C. H. H.

Die Anfänge der Französischen Ausdehnungspolitik bis zum Jahr 1308. Von Fritz Kern. (Tübingen, J. C. B. Mohr, 1911, pp. xxxii, 375.) When the development of royal power in France toward the end of the Middle Ages left the country free to turn its attention to the question of foreign expansion, it found itself hemmed in on every side by well-established states which forbade any such policy of colonization and settlement as the Germans were enabled to pursue on their eastern frontier, the Spanish to the south, or the English in the direction of Ireland. Consequently national expansion became wholly the work of the government, and the state of the Empire after the Interregnum made the eastern and southeastern frontiers a suitable field for its activities. It is the policy pursued here by Philip IV. that Kern has made the subject of a painstaking study which throws much light on the intricate political history of that much-discussed reign. The work is divided into three books, the first of which discusses the conditions and theories which underlay the French policy of this period; the second traces its development from the time of Charles of Anjou, whose schemes of world conquest continued through the reign of Philip III. to modify the true aims of French policy, down through the first seven years of Philip IV.'s reign, by which time the narrower but more practical ideas of that king had pointed out the way of future development; while the third book traces the negotiations and intricate procedure resulting in the annexation of Lyons and of territory along the Lorraine frontier, the partial absorption of Franche Comté and the formation of a league of Rhenish princes subservient to France, the whole culminating in the unsuccessful attempt to place a Capetian prince on the imperial throne in 1308.

Although this is the author's first book, he has already distinguished himself by a series of articles in the Austrian *Mittheilungen* ("Analekten zur Geschichte des 13. und 14. Jahrhunderts") and by a contribution to the volume of studies dedicated to K. Zeumer (noted in this REVIEW, XVI. 412). The new facts in the present work are largely drawn from his *Acta Imperii, Angliae et Franciae*, recently published under assistance from the Böhmer-Fund, the fruit of industrious researches among the hitherto unprinted archives dealing with the foreign relations of Germany in this period. Much of the value of the

book, however, consists in the bringing together of material scattered in monographs of local history and geography which enables the student for the first time to follow out the entire policy of French expansion at this period in all its intricate details and gives to it a more consistent and deliberate aspect than recent writers like Langlois have been willing to recognize. Occasionally a tone of national hostility to France obtrudes itself in the judgments of the writer, but this is to be found in those portions of the book dealing with the general aspects of the question rather than in the narrative sections.

A. C. HOWLAND.

Le Bourgage de Caen: Tenure à Cens et Tenure à Rente (XI^e-XV^e Siècles). Par Henri Legras, Docteur en Droit. (Paris, Arthur Rousseau, 1911, pp. 525.) Both in subject and in method of treatment, the monograph of M. Legras offers an admirable example of what can be done with a doctor's thesis in the field of legal history. Its author has taken a definite and practicable topic and has investigated it, not only in the *coutumiers* and court rolls to which attention is too often confined, but in the mass of charters and contracts and notarial instruments of various sorts which show the concrete detail of legal institutions. Accordingly the nature and development of burgage tenure in relation to the lord receives less attention than the actual legal relations between townsmen so far as these are concerned with the tenure of land, and the results are significant for many phases of medieval law as well as for the mechanism of urban life. Caen offers an excellent field for an investigation of this sort, not only because of its rapid growth under the fostering care of the Norman dukes, but also because of the opportunities for comparative study afforded by the parallel development of its three constituent *bourgs* under the lordship respectively of the king, the abbot of S. Étienne, and the abbess of La Trinité. M. Legras wisely refrains from much generalization and comparison, though he shows an acquaintance with the German and Flemish literature of the field. Curiously enough he seems unfamiliar with the less abundant but for his purposes more significant discussions of burgage tenure in England, particularly Miss Bateson's writings and Dr. Hemmion's recent articles. It is a pleasure to note that the author proposes to continue his studies of medieval land law and to treat at the same time the related matters of economic history.

C. H. H.

Four Thirteenth Century Law Tracts. By George E. Woodbine. (New Haven, Yale University Press, 1910, pp. 183.) Mr. Woodbine has placed before students of English legal history an excellent edition of four law tracts of the thirteenth century—*Fet Asaver*, *Judicium Essoniorum*, *Modus Componendi Brevia* (otherwise known as *Cum Sit Necessarium*), and *Exceptiones ad Cassandrum Brevia*. Too long have these lesser writings on English medieval law been known only by

name; and Mr. Woodbine has rendered a real service therefore by rescuing them from their manuscript hiding-places. Although not so important as other legal works of the thirteenth century—such as the writings of Bracton, Britton, *Fleta*, and the *Summae* of Hengham—they are nevertheless well worthy of careful study; and if careful study be devoted to them, they will undoubtedly supplement, and perhaps at places even correct, our present knowledge of thirteenth-century law in England.

The reader of these little tracts must not however expect to find in them much originality in legal thinking; for the years following upon the appearance of Bracton's great treatise were not years characterized by original thought along legal lines. But Mr. Woodbine is right in emphasizing the conciseness and practical utility of these small tracts. All four deal with the procedure of courts and the legal problems relating thereto; and in trying to appreciate the significance of the tracts for the law and the lawyers of the thirteenth century we must not forget that pretty much all the problems of substantive law in those early days resolved themselves around problems of procedure, the rules of the substantive law being concealed from the novice by countless rules of procedure and proof.

Not the subject of least interest discussed by Mr. Woodbine in his valuable introduction of fifty pages is the authorship of the tracts. The authorship of all four is uncertain; but there is some evidence that points to Ralph de Hengham, one of the greatest of Edward I.'s judges and the acknowledged writer of the *Summae*, as their possible author. Three of the tracts are attributed to Hengham by some manuscript or other, and, to quote our editor's words, "the internal evidence connects two of them so closely with the *Summae* of Hengham as to make it seem at least probable that he was the author". But we cannot go into this matter here; and indeed Mr. Woodbine's argument should itself be read in its entirety.

We are sorry that the learned editor has supplied no index of matters and no translation of the original text of the tracts. In the case of the *Judicium Essoniorum* and the *Modus Componendi Brevia* this absence of an English translation will not be felt so keenly, for they are in Latin; but the other two tracts are in Norman-French, and, though Maitland's work has increased the interest of historical scholars in that language, there are still many learned in law and in medieval times who do not pretend to fluency in it.

It is to be hoped that the scholar who restored to us the long-lost Thornton and who now presents us with this fine little collection of medieval law tracts will busy himself still further with matters of English medieval law and legal literature.

H. D. HAZELTINE.

The Oak Book of Southampton of c. 1300. Transcribed and edited from the unique MS. in the Audit House, with translation, introduction, notes, etc., by P. Studer, M. A., Professor of French and German at Hartley University College, Southampton. Vol. I. [Publications of the Southampton Record Society, edited by Professor F. J. C. Hearnshaw, M.A., LL.D.] (Southampton, Cox and Sharland, 1910, pp. xliv, 160.) The Oak Book gives an interesting picture of life in Southampton in the fourteenth century, its customs, its dominant ideas, its principles of government and trade. No mention of it has been detected in the numerous Southampton manuscripts. The editor therefore concludes that until recently the document went by the name of "Paxbreaðe", to which there are frequent references, especially one by William Overey, clerk and sheriff of the town in 1473. The book is bound in oak covers. One is longer than the other and has a slit at the bottom through which the clerk put his thumb for convenience in holding the book while reading.

Portions of the Oak Book have been published at various times—particularly chapter iv.—from which the late Dr. Charles Gross drew largely in his work on the English *Merchant Guild*. The present edition contains an introduction of some 43 pages. Chapter i. has a fragment of an early tariff of pontage dues, with other notes made in the fifteenth and sixteenth centuries. Chapter ii. tells of the freedom of toll granted to the men of Lowestoft, probably by Henry IV. in 1401.

Chapter iii. gives an incomplete list of the boroughs of England, with particulars relating to their charters. It is valuable as a record of the English towns with which Southampton traded from the twelfth to the fourteenth centuries. Chapter iv.—the Ancient Laws and Ordinances of the Guild Merchant of Southampton—is the longest and most important part of the Oak Book, and, together with chapter v., is assigned to 1300.

The appendixes include an English version of the Guild Ordinances by William Overey, 1473; a translation by Dr. Speed, 1770; the "Modern Laws", a slightly modified version of the Ordinances, which constituted the legislative code of Southampton to 1835; and 38 ordinances, enacted in the mayoralty of Thomas Overey in 1491.

C. T. WYCKOFF.

The Lollards of the Chiltern Hills: Glimpses of English Dissent in the Middle Ages. By W. H. Summers. (London, Francis Griffiths, 1906, pp. vi, 186.) This little book is an attempt to trace, chiefly by the aid of printed sources, though with recourse now and then to material still in manuscript, the evolution of the Lollard movement in South Buckinghamshire. In eighteen short chapters Mr. Summers deals successively with the religious life in Buckinghamshire in the Middle Ages, Wycliffe and the early Lollards, the revival of Lollardy on the eve of the Reformation, and the relations of Lollardy and

Protestantism. His treatment of the early Lollards (chapters IV.-VI.) offers little that is new or that is not better set forth in the general histories of the movement. Of far greater value are the chapters (VII.-XVIII.) in which he narrates the fortunes of the sect from its apparent suppression in the mid-fifteenth century to the breach with Rome. The reviewer can recall no other work in which are collected and grouped, in a manner to make clear their actual place in the life of the time, so many concrete facts about the later Lollards. Two points, moreover, are treated with special success. One is the interesting question of the continuity of the movement. On this Mr. Summers assembles evidence which indicates that, at least in the region under discussion, Lollard congregations enjoyed an uninterrupted existence from the early fifteenth century to the beginning of the Reformation. The other point is the problem of the authenticity of the "Register of Bishop Longland", the source utilized by Foxe in his pages on the Buckinghamshire heretics. There is no space here even to summarize the argument (chapter XI.); one can only note that its result is to establish pretty conclusively Foxe's good-faith. For these features—as for still others which must be left unmentioned—the book ought to prove suggestive reading to all students of the popular origins of the English Reformation. *

RONALD S. CRANE.

Dr. Gisbert Brom's *Archivalia in Italië belangrijk voor de Geschiedenis van Nederland*, II. *Vaticaanse Bibliotheek* (Hague, Nijhoff, 1911, pp. xiv, 550) continues, upon the plan described in our notices (XIV. 656, XV. 405) of the two sections of part I., the calendaring of specific documents of importance for Dutch history found at Rome. Only 399 documents are entered, for, by a modification of method, full texts are often given, and in other cases long extracts. A third of the book is taken from the "Vaticana Latina", and nearly a third more from the Barberini collection. The introductions and indexes are excellent. The volume is of especial value for the beginning of the Reformation and the hundred years immediately succeeding, to which period most of the pieces belong.

L'Évolution Industrielle de la Belgique. Par Jan St. Lewinski. (Brussels and Leipzig, Misch et Thron, 1911, pp. xiv, 444.) The first part of this book is a survey of theories of economists and sociologists which might be applied in explanation of the phenomenal changes which have taken place in Belgium in the nineteenth century. The second part deals with their historical application. It is evident at once that the author is an economist rather than a historian: theory comes first, facts follow. Moreover M. Lewinski objects to inductive study unless the line of research is amply charted by hypotheses. This enables author and reader to felicitate each other as they verify their verifications, but it tends to dissipate any illusions which they might

otherwise entertain as to the originality of their enterprise. On the other hand the material has been handled in a careful and painstaking manner. The manual is, therefore, both a convenient summary of the essential facts of Belgian industrial history and a neat survey of the theories commonly in vogue with reference to the sociological problems involved in such a phenomenal growth of population and wealth, transformation of intensive farm agriculture to the factory system and readjustment of social pressures. The plan of the book has something to be said for it; but so much space is taken up with discussion of theories—some of which might better be left to die where they are dying—that the actual narrative is unduly compressed.

Since practically all economic arguments which bear upon the problem are passed in review here, it is impossible within the limits of this notice to discuss the contribution of Mr. Lewinski further than to indicate that his criticism is in general sane rather than original, history having proved of as much service to him as economics, by enabling him to show up the vagaries of extremists and the distortions of polemicists. But the synthetic side is more open to question. We doubt whether the "growth of population" is a better formula for the cause of the Industrial Revolution than the "Commercial Revolution" or the "growth of capital" of Mr. Brooks Adams and others. History has no such formulas.

J. T. SHOTWELL.

Secret Societies and the French Revolution, together with Some Kindred Studies. By Una Birch. (London and New York, John Lane Company, 1911, pp. 262.) This volume is composed of four essays, of about equal length, reprinted from the *Edinburgh Review* and *The Nineteenth Century and After* and bearing the titles, Secret Societies and the French Revolution, The Comte de Saint-Germaine, Religious Liberty and the French Revolution, and Madame de Staël and Napoleon. The essays are attractively written, semi-popular in their nature and intended, one would assume, for the general reader. The student of the French Revolution may be entertained by these sprightly pages; he certainly will not be instructed. The first essay, that upon Secret Societies and the French Revolution, is perhaps the most ambitious, and at the same time the most unsatisfactory of the four. The chief defect of the study is the failure to realize the fact that a wide and often impassable gulf separates working hypotheses from conclusions resulting from exhaustive research and critical study of evidence. The substitution of the first for the last does not constitute scientific progress. The paragraph from Acton's *Lectures on the French Revolution*, serving as a motto to the book, is a good illustration of this bad practice. "The appalling thing in the French Revolution", wrote Acton, "is not the tumult, but the design . . . the Managers remain studiously concealed and masked; but there is no doubt about their presence from the first." How it is possible to prove anything about

the activities of individuals who "remain studiously concealed and masked" is not evident at the first glance nor, for that matter, even at the last. The assumption of the writer of the essays that historians have not written of the rôle of secret societies in the French Revolution because "historians have generally chosen to deal with facts, rather than with their psychological significance", is pure assumption, if it has any meaning. The influence of secret societies is a complex *fact*, if it can be shown that such an influence existed. That it did exist has never been doubted. The real problem is what was its nature and how widespread was it. The reason the problem has not been solved is the lack of evidence. After the existence of secret societies has been established, after their number, the classes of society included in their membership, and the nature of their activities have been determined, the relative part they played in bringing about the Revolution will still be unsettled. A document written in 1777 proposed the formation of a secret order within the order of the Masons for the reason that "although the aim of masonry was to arouse the minds of men to a knowledge of the universal creator of nature and of the primitive relations of fraternity and equality which exist among all men", but little of real value had been accomplished, and many had left the order in disgust. The evidence would seem to indicate that the Masons in France in the eighteenth century, as a body, were innocent of any organized attempt to revolutionize society. That many leaders of the Revolution were Masons is an interesting fact, but it does not follow that they were revolutionists because they were Masons nor that in directing the Revolution they were doing the work of the order. The volume contains some indications of research, but little of critical scholarship. There is a sprinkling of foot-notes and a carelessly constructed bibliography, with a good number of titles on secret societies, but almost nothing on the other topics.

FRED MORROW FLING.

Paris pendant la Terreur: Rapports des Agents Secrets du Ministre de l'Intérieur. Publiés pour la Société d'Histoire Contemporaine par Pierre Caron. Tome I., 27 Août 1793-25 Décembre 1793. (Paris, Alphonse Picard, 1910, pp. lx, 427.) The reports, the publication of which M. Caron has begun in this volume, were made by the "observateurs" of the French Ministry of the Interior. The plan for a systematic collection of information originated with Garat and was put into operation in May, 1793. It was developed by Paré, Garat's successor, and was abandoned only when in the spring of 1794 the ministries gave way to commissions, and when the "bureau of correspondence" was accused by St. Just of having belonged to the faction of Dumouriez and of having praised Danton. The number of "observateurs" in Paris varied from time to time, sometimes as many as fourteen reporting for the same day. From the reports extracts or résumés were prepared, which were addressed to the committees of the

Convention and the administrations interested. Three writers have already published a portion of them—Ad. Schmidt in his *Tableaux de la Révolution Française*, C. A. Dauban in his *La Démagogie en 1793 à Paris* and M. Caron himself in the *Bulletin* for 1907 of the Commission de l'Histoire Économique de la Révolution. The reports for May, June, and July, which Schmidt published, are omitted in this collection. Of the others about two-thirds, or 964, have never been printed. Unfortunately, even in this collection there are serious gaps, for of the 341 reports for Brumaire, an 11, none have been found, and only eleven out of 384 for Frimaire. For other months the collection contains a fairly complete set. The reports in the present volume close with that made December 25, 1793. Their value is undoubted, for the writers appear to have appreciated the fact that they were expected to report what they saw and heard. They are not equal in value, but it is possible to check the statements of each by those of the others and by information drawn from other sources. M. Caron furnishes much of this information in his notes, and he has included in his introduction biographical notices of the "observateurs". When completed the volumes will be an important addition to our materials on the history of Paris during the Terror.

H. E. BOURNE.

A Century of Empire, 1801-1900. In three volumes. By the Right Hon. Sir Herbert Maxwell, Bart., F.R.S., D.C.L., LL.D. Vol. III., 1869-1900. (London, Edward Arnold; New York, Longmans, 1911, pp. xv, 367.) The attractive, readable character of this, as of previous volumes, can be safely conceded, while its innocence of historical research and method is equally apparent, and its consistent partizanship even more noticeable. The latter point, generally criticized in earlier reviews, Sir Herbert Maxwell meets in the preface. He acknowledges bias and claims added value because of the Tory viewpoint. Enumerating Liberal historians, he writes that they "have not shrunk from frank expression of their political sympathies or refrained from expressing vigorous disapproval of men and measures with whom and with which they were not in accord. Is a conservative to be blamed for availing himself of that freedom which they have put to such effective purpose? There can be no question with less than two sides to it; future searchers after truth will hardly be satisfied without a report on disputed points from both these sides." Thus the author ingeniously defends himself from the imputation of pamphleteering under the guise of history. Considered as a brief for party the work is excellent, and has value as a document, while largely negligible as serious history.

The survey presented is almost entirely of the play and strife of parties in Parliament, portraying leaders, succinctly stating questions and measures, and offering an intimate view of motives. The historical value of the work is in this inside knowledge of the political game. The author was in the thick of it as assistant-whip for the Tories, and

his estimates of men and of political conditions are the testimony of a participant. The volume covers the years 1869 to 1900, and the incidents narrated have so close a relation to present conditions in England as to increase the interest. Thus when Gladstone's county franchise bill, enlarging the electorate, was thrown out by the Peers in 1884, a campaign was inaugurated for "mending or ending" the House of Lords. The author relates with satisfaction the service of Queen Victoria in securing a compromise, thus averting a dangerous constitutional crisis; and applauds the influence and power of the crown, so wisely exercised. Gladstone is, in the main, treated with a gentleness hardly to be expected from one who participated in the Home Rule contest of 1886, though of Gladstone's change of front he writes that "his principles had lost none of their plasticity", and that Gladstone's career was "cumbered with wreckage and strewn with jettison". The most striking portrayal in the volume is that of Lord Randolph Churchill, for whose genius in politics, acumen, and leadership and courage in debate, the author has great admiration, but whose ultimate influence on the Conservative party he deprecates, holding that Churchill's Tory-Democrat theories were never sincerely held, and that he accustomed his party to pander to popular outcry. Indeed the modern Conservative party arouses no enthusiasm in Sir Herbert Maxwell, and Churchill is held responsible for what is termed the "rot of Conservative principles".

E. D. ADAMS.

Much discussion has been raised in Italy by the publication (Bologna, Nicolà Zanichelli) of an unknown autobiography of Garibaldi in verse, written during the hero's months of convalescence after the tragic conflict of Aspromonte in 1862. Garibaldi's *prose* autobiography was first printed more than a half-century ago and has since frequently reappeared in varying editions and in many languages. The historian has had ample time to become cognizant of its untrustworthiness in statements of detail and in judgments of men and events, although the work must always be regarded as a document of biographical importance, showing what Garibaldi thought of his own exploits as he looked back upon them in his later years when surrounded for the most part by the least honorable of his followers, who ministered to his party resentments and personal enmities. The *poetical* autobiography which has now appeared is of the same character. It was written in one of the bitterest periods of Garibaldi's life, after the failure of his first revolutionary expedition for the capture of Rome undertaken contrary to the wish of his wisest counsellors and without the support of his ablest and most serious followers. He blamed Napoleon III. primarily for the thwarting of his ill-timed effort, and in his verses he has given free vent to his hatred of the French emperor and of the priests. His accounts of his own well-known achievements, which form such a vital and extraordinary part of the Italian Risorgimento, exhibit real poetic feeling and are modestly given, but they contain no new historical facts

and, as was to have been expected, they are of no literary value. In Italy some among Garibaldi's most ardent admirers have reproached the editor for having printed a work so defective from a literary point of view and lament that in so doing he has belittled Garibaldi. However it is difficult to see that either harm or much benefit has in reality been done to the hero's memory by the publication. Garibaldi's sentiments, including his violent animosities expressed in the poem, were already known, as was his tendency to patriotic and ultra-democratic bombast; and as for his form of poetic expression with its grave literary defects, it cannot seriously be suggested that the glory of Garibaldi's figure on the field of battle and of his rôle as a world-champion in the struggle for liberty could be dimmed by literary failure or literary criticism. But it may justly be noted that the period when in thought and action he best served his country had closed before he commenced to write his own epic. The poetry of action had been completed before his verses were begun. As students have long realized and as the invectives of this autobiographical poem suggest, history has yet to fully register many of the party errors and political prejudices of his later life, of which the evil effects were fortunately lessened by the wisdom and patriotic forbearance of prudent Italian statesmen, whose figures, as those of Cavour, Victor Emmanuel, Crispi, and others will gain by the publication of the full record. On the other hand something also remains to be said of Garibaldi's later blundering services to Italy as a fundamentally conservative force in the party of action; for this phase of his life much material is already available in the correspondence of his contemporaries; but it will be difficult for the historian to treat any phase of Garibaldi's life satisfactorily, and indeed it will be impossible to write a full biography, until a substantially complete and accurate edition of his letters has been prepared.

H. NELSON GAY.

An anonymous sketch of Francesco Daverio, the chief of staff in Garibaldi's First Italian Legion, killed on June 3, 1849, during the siege of Rome, was privately published (Varese, Arti Grafiche Varesine) by Daverio's family on the occasion of the inauguration of his bust on the Janiculum in Rome on April 30, 1911. Emilio Maroni Biroldi, the author of this first biography of Daverio, has written *con amore*, and also with critical judgment, and has succeeded in bringing together all available material which could illustrate the courage, ability, and patriotism of his hero, including some unpublished documents. Garibaldi spoke of Daverio as "the best of his brothers" and declared that he had the stuff of an excellent general in him.

An interesting pamphlet on the part played by Sicilians in the winning of Garibaldi's remarkable victories in the Sicilian revolution of 1860 has been published by Salvatore Romano, *I Siciliani a Marsala, a Salemi e alla Battaglia di Calatafimi* (Palermo, Scuola Tip. "Boccone del Povero"). The writer is correct in his contention that there has been

some over-glorification of Garibaldi's Thousand at the expense of the auxiliary Sicilian revolutionists. A specialist's knowledge of modern Italian history is not necessary in order to appreciate the absurdity of the representations made by many historians to the effect that a thousand extraordinarily brave filibusterers, *without substantial aid from the native islanders*, were able to capture the capital of Sicily defended by a large Neapolitan standing army and fleet.

The Right Honourable Hugh Oakeley Arnold-Forster: a Memoir. By his Wife. (London and New York, Longmans, 1910, pp. xv, 376.) Between trying to write a political biography that should appeal to the public in behalf of the cause for which her husband worked, and running into the form of an intimate memoir, Mrs. Arnold-Forster has failed of the best success; but she has presented a good sketch of a new type of statesman—a type with which students of the last three decades of English history ought to be familiar.

Arnold-Forster was a journalist of some distinction when, after serving in Dublin as private secretary to his adoptive father, W. E. Forster, he gradually broke away from the Liberal ranks and became a Unionist. He found a seat in Parliament for one of the divisions of Belfast; but, too disinterested to be a successful party politician, he devoted his unusual talents to a study of the army and navy. Probably no civilian of his generation could speak more authoritatively on the problems involved in these two branches of the service. Always a close student of Continental models, he early abandoned, at some sacrifice of popularity, that illusion of Victorian complacency, the cricket-ground-of-Eton theory of England's fighting supremacy; and he became both in Parliament and in the press the apostle of technical efficiency. He wrote and spoke in vain until the South African War realized most of his fears, and gave point to much that he had advocated. As Secretary to the Admiralty, and then as Secretary for War in Balfour's government, he strove to approximate the British forces to the Continental model, and to bring about a co-ordination of the two branches of the service. His view of the empire was naturally conditioned by his interest in imperial defence, yet he constantly combatted the besetting jingoism of the British public.

Here and there in the narrative are items which might be used as historical material. A good sketch appears in one of the early chapters of a Parliamentary election in Belfast. As educational adviser to the publishing firm of Cassell and Company, Arnold-Forster helped to introduce German school publications into English schools; and we learn that the *London School Atlas* and the *Times Atlas* were both translations and adaptations from German originals. Beyond the question of army reform there is little that will contribute to the history of the Balfour ministry; and Mrs. Arnold-Forster is clearly ill at ease in discussing the Chamberlain tariff proposals. The influence of W. E. Forster in originating the imperialist movement of the seventies is undoubtedly exaggerated. The references to naval training and the conditions of naval service would be valuable for recent naval history. The most vivid piece of

writing in the whole book is the description of the Kingston earthquake, Arnold-Forster happening to be in Jamaica at the time of the disaster.

C. E. FRYER.

Federations and Unions within the British Empire. By Hugh Edward Egerton, Beit Professor of Colonial History, Fellow of All Souls College, Oxford. (Oxford, Clarendon Press, 1911, pp. 302.) Professor Egerton's book consists of a series of documents exhibiting the forms of political union which now exist, or have existed, in different parts of the British Empire, together with an introduction giving a summary account of the unions, with one exception, which are now in force. The documents comprise the Articles of the New England Confederation of 1643, Penn's Plan of Union, Franklin's Albany proposals, the British North America Act of 1867, the report of the Privy Council, 1849, on a constitution for the Australian colonies, the Commonwealth of Australia Constitution Act of 1900, and the Union of South Africa Act of 1909. The constitution of New Zealand is omitted because, as Professor Egerton says, "the shadowy kind of federation adumbrated by the establishment of the six Provinces can hardly take rank among federal Governments, even during the short period of the existence of these Provinces"; and, further, because the constitution of New Zealand presents no striking departures from the constitutions of the other Australian colonies.

Professor Egerton's introduction, extending to a hundred pages, is in the main confined to a straightforward narrative of the events which led to the adoption of the several federations or federal unions in question, with the addition of such description or explanation of the statute-constitution as grows naturally out of an historical survey. Special students of federal government or of modern colonial development will find nothing novel in what Professor Egerton has to say; but the introduction itself is a useful addition to the scanty list of reliable brief accounts. In some brief concluding observations it is pointed out that the organic laws of Canada and Australia show no such popular distrust of both the executive and the legislature as appears in recent American state constitutions. On the other hand, the detailed specifications of the British North America Act, in contrast to the general phrases of the American Constitution, have brought some confusion into Canadian law. None of the existing unions was the product of necessity, nor do they, Professor Egerton thinks, necessarily presage a wider imperial union: the British Empire to-day consists of communities "with most of the attributes of distinct nations", and "the most keen-sighted of imperialists now recognize that what is necessary is a federation of nations, not of provinces".

WILLIAM MACDONALD.

Beiträge zur Charakteristik der Aelteren Geschichtsschreiber über Spanisch-Amerika. Von Frederich Weber. [Beiträge zur Kultur- und Universalgeschichte, XIV.] (Leipzig, R. Voigtländer, 1911, pp. xii, 338.)

Whether one examines this work for the sake of finding out what the German student can command in the way of material for the study of American history, or with a hope of learning what sort of ideas the German teachers of this generation are inculcating on that same subject, the American reader is likely to discover very little which would lead him to that corner of Europe for study or investigation. The book is a comprehensive, intelligent survey of the sources of information, as they may be gleaned from the older works of reference which are just beginning to be displaced in most American college libraries. The foot-notes disclose little of more importance than an Essen *Schulprogramm* among the half-dozen references that have been noted of later date than 1890, while most of the citations are earlier than HARRISSE's *Bibliotheca Americana Vetustissima* and Winsor's *Narrative and Critical History*. The work as it stands might have been compiled just as well in 1880 as it has been in 1910. If it had been produced thirty years ago, it would have been a work of great skill which would without much question have had an important influence upon the study of Latin-American history. Most of the ideas which the author has derived from his examination of the bibliographies, supplemented by Humboldt and Baumgarten's introduction to Schröter, were not in 1880, as they are to-day, a part of the stock in trade of every professional reader of American history. Perhaps the chiefest advantage to be derived from an examination of Herr Weber's work is in the evidence which he furnishes that these "stock-in-trade" ideas are confirmed by a careful re-examination of the data out of which they have evolved.

This is not the sort of work which can fairly be taken to task for matters of bibliographical minutiae. Such incidental slips as the printing, in a German work, of "S. Eusuytle" for Sensuyt le; or the citing of the well-known *Libretto* of 1504 as "lost" because HARRISSE bemoaned his inability to find a copy in 1866; or the ignoring of the important *Summario* of 1534 in a discussion of the services rendered by Ramusio toward the dissemination of geographical knowledge; or even the failure to mention the volume of *Voyâges* published in 1589 in a paragraph devoted to Richard Hakluyt's work; or, to cite an illustration in still another line, the statement that valuable material is still to be found in the Mexican monastic libraries which ceased to exist during the time of Juárez; all these are significant chiefly as evidence that the German student does not have access to the later American works of reference. These are bits of special information that the graduate student at Chicago, Philadelphia, New Haven, or Baltimore might not recollect off-hand, but he would hardly be allowed to go to press without verifying his statements.

G. P. W.

Inventory of Unpublished Material for American Religious History in Protestant Church Archives and Other Repositories. By William Henry Allison, Professor of Ecclesiastical History, Colgate Theological

Seminary. (Washington, Carnegie Institution, 1910, pp. vii, 254.) All students of American church history owe an immense debt of gratitude to the Carnegie Institution for the preparation and publication of this invaluable work which must stimulate as well as facilitate research. It is the first attempt to list the manuscript material for our religious history and must long have fundamental importance for investigators. Professor Allison's task was laborious and has been done with evident thoroughness and accuracy. How difficult the search may have been can be tested by one who even with this list in hand may not easily convince librarians of their possession of the documents.

The inquiry was accomplished by personal visits and the use of a questionnaire. It is clear that the listing is not uniformly specific. In some cases the archivist has not definitely indicated the contents of documents where it was possible enough. The "Theological Disquisition" of Jonathan Edwards in the Andover Theological Seminary might have been given a subject, and one searcher among records of councils regrets that we are not told the place of the council of 1738 of which that library has memoranda. It is doubtless because of the neglect of manuscript materials in libraries that some omissions will be found. The Unitarian Library at 25 Beacon Street, Boston, has many manuscript parish histories important for the story of the division of Congregationalism, but they do not appear in this inventory. The work fails to reveal the location of records of the various district associations of the Massachusetts Congregational churches. The records of the Boston Association are at the American Unitarian Association. A questionnaire sent to these district associations might reveal similar facts.

Dr. Allison deems that the usefulness of his work "may consist in part in indicating where historical material is not to be found", but this may be read with a caution. The possessions of the Massachusetts Historical Society are not listed, though they include such interesting material as the sermons of Ezra Stiles, 1749-1775, and a portion of his Ecclesiastical History of New England and British America. Fairfax Theological Seminary, Alexandria, Virginia, has a large number of record-books of Virginia parishes, but is not represented here.

While it is impossible to judge of the exact contents of much of the material here listed, it is probable that the documents deal more with ecclesiastical business and institutional growth than with doctrinal interests or with religious experiences. The reviewer has been sadly disappointed to discover few indications of the correspondence of eighteenth-century worthies who must have conferred over the dangers of an English episcopate and the invasions of heresy. It is to be hoped that the existence of this work may encourage individuals owning such unprinted materials to deposit them in public archives. Through the suggestion starting from this inventory the Meadville Theological Library recently received an interesting manuscript of the reminiscences of Rev. W. H. Fish, who had a part in the Hopedale Community and in the crusade against slavery.

FRANCIS A. CHRISTIE.

Religion in New Netherland: a History of the Development of the Religious Conditions in the Province of New Netherland, 1623-1664. By Frederick J. Zwierlein, L.D., Professor of Church History at St. Bernard's Seminary, Rochester, New York. (Rochester, John P. Smith Printing Company, 1910, pp. vii, 365.) This is the first serious attempt at interpretation of the religious development of the province of New Netherland in the light of the results of modern research in the field of religious history of the mother country. After an introductory chapter on the religious conditions in the Dutch Republic, the author outlines the relations between Church and State in the colony and then proceeds to give a systematic account of the Dutch Reformed Church, the religious activities in New Sweden, the religious factors in the English immigration, the persecutions of the Lutherans, the Quakers, and the Jews, and the Indian missions in New Netherland. Though little new material is brought to light and a disproportionate amount of space seems to have been given to persecutions, not much fault is to be found with the general narrative of events, which is based on a painstaking analysis of printed sources and secondary works. Exception must be taken however to the first chapter, in which the author, in an effort to show that the policy of the colonial government to foster the Dutch Reformed religion and to repress all organized dissent was in line with the oppressive measures against Catholics and Arminians in the Dutch Republic, draws a picture of religious persecution which is hardly in accordance with the facts. Though based on such eminent authorities as Knuttel, De Schrevel, and Hubert, this chapter fails to take account of the contrary views expressed by Robert Fruin in his *De Wederopluiking van het Katholicisme* and by Dr. L. Knappert in "De Verdraagzaamheid in de Republiek der Vereenigde Nederlanden" (*Tijdspiegel*, 1907), which show that many of the oppressive ordinances cited by the author were never executed, and that the testimony of contemporary foreigners and the steady influx of religious exiles furnish abundant proof that the religious conditions on the whole were far better than the author's presentation of the facts would lead one to suppose. As to the statements concerning the establishment of the Dutch Reformed Church and the situation of the Jews, the author published his work unfortunately just too soon to make use of the interesting data brought to light in Dr. Eekhof's biography of Krol, noticed in the January number of this REVIEW, and in Dr. M. Wolff's article on "De eerste Vestiging der Joden in Amsterdam", in *Bijdragen voor Vaderlandsche Geschiedenis* (1910), but valuable information for sidelight on the treatment of the Jews might have been gathered from the "Classicale Acta van Brazilië", printed in the *Kronijk van het Historisch Genootschap te Utrecht*, XXIX. 298-317, 322-419 (1873).

Narratives of Early Carolina, 1650-1708. Edited by Alexander S. Salley, Jr., Secretary of the Historical Commission of South Carolina. [Original Narratives of Early American History, edited by J. Franklin

Jameson.] (New York, Charles Scribner's Sons, 1911, pp. xiii, 388.) This volume in interest and excellence is in keeping with the series of *Original Narratives*. I am unable to discover wherein the selections from the sources could be improved. Hardly an interrogation will arise in the mind of the reader that Mr. Salley has not anticipated in editing these early accounts of the Carolinas. Restraint, however, marks the entire volume, as the notes are clear, brief, and to the point. Historical sources are in general useful, but this book is also readable. It is not scrappy, but is made up of narratives having unity and in a measure completeness.

A map of Carolina from Richard Blome, 1672, and a plan of Charles Town by Edward Crisp, 1704, are reproduced with helpful comment by Dr. Jameson, the editor-in-chief of the series. The mechanical execution of the work is admirable, especially the large, bold print. This volume will at once enrich the popular knowledge of the early history of the Carolinas, lending vividness to the general reader's impressions and making available for the class-room the most valuable sources bearing on the settlement and development of these ancient commonwealths.

S. C. MITCHELL.

Diary of Cotton Mather, 1681-1708. [Massachusetts Historical Society Collections, seventh series, volume VII., edited by Worthington C. Ford.] (Boston, the Society, 1911, pp. xxviii, 604.) Cotton Mather's diaries, some of them possessed by the Massachusetts Historical Society, some of them by the American Antiquarian Society, and one by the Congregational Library, have long been spoken of in New England historical circles. The first volume (of two which they will occupy in print) has now been published. It is in several ways disappointing to those who may have expected it to prove an important historical source. It contains very little about public affairs, even about the events of 1689 or 1691, the public agency of Increase Mather, or the relations of father and son to Harvard College. It casts no real light on the *Magnalia* or on Salem witchcraft. But as material on Mather it has value, and Mather, slight as was his power of thought in comparison with his eagerness for prominence, was for a time an influential figure. The diary embodies self-revelation of an interesting sort. This is not of the unconscious variety. The manuscript was evidently written that it might be read and might prolong admiration for its author, whose morbid vanity breathes from every page, and not least from those passages intended to exhibit his abject humility before his God. Worthless worm though he might be for purposes of conventional rhetoric, he makes it plain to his readers that after all he was highly regarded by both God and Devil, and that no inconsiderable portion of the universe revolved around the minister of the Second Church in Boston. Though mainly a record of somewhat mechanical spiritual exercises, and confined to the psychological interest attaching to that class of literature, the book contains many passages that depict Boston society, the most engaging being those

concerning the attempts of an admiring young gentlewoman to capture Mather's affections by somewhat drastic methods and somewhat too soon after his first wife's death. Bibliographers will value the frequent data concerning the numberless publications which the busy doctor forced upon a patient little world. Mr. Ford's preface and notes are good, but are not written *con amore*. Elias Nean (pp. 238, 239, 300, 550) should be Elias Neau (*alias* Nau).

The Calendar of State Papers, Colonial Series, America and West Indies, 1701, edited by Mr. Cecil Headlam (Stationery Office, 1910, pp. lxxiii, 818), is the fourteenth volume of the series. Every year's advance into this comparatively undocumented period of American history is a substantial gain. The volume is largely concerned with preparations for war and colonial defence, with Indian affairs, with piracy, and with political quarrels in the colonies. Mr. Headlam's editing seems excellent. At any rate he does not abuse his editorial position as his immediate predecessor was wont to do, by injecting into official introductions the evidences of petty personal prejudices.

Travels in the Confederation [1783-1784]. From the German of Johann David Schoepf. Translated and edited by Alfred J. Morrison. In two volumes. (Philadelphia, William J. Campbell, 1911, pp. x, 426; 344.) Doctor Schoepf was the chief surgeon of the Ansbach troops used by the British in America. In 1777, at the age of 25, he arrived at New York and remained in America until the end of the war. He served only in southern New England, New York, and Philadelphia, and was unwilling to return to Germany without having seen something more of this new country. Accordingly, in July, 1783, he started from New York, and went through New Jersey to Philadelphia. He then rode across Pennsylvania to Pittsburgh and on his return made a detour into the Shenandoah Valley and to Baltimore. In November and December he travelled through Virginia and North Carolina, and after two months in Charleston, he sailed to East Florida, and the Bahamas, and thence to England.

Schoepf's primary interest was in the physical characteristics and the natural resources of the country. He gives valuable contemporary information regarding these features, especially on the mines, and makes some interesting prophecies of probable future development. Local products, prices, and trade are frequently taken up. There is a formal description of the government of each of the states through which he passed, with an occasional independent observation that throws light on the political conditions. A keen observer, open-minded, and fair in his judgments, his comments upon the people along his entire route are full of interest and value. Such, for example, are his criticisms of his fellow-countrymen, the Germans, in eastern Pennsylvania, and his description of Hermann Husband, of North Carolina Regulator fame, who had fled to western Pennsylvania and who had developed into

a religious fanatic, genuinely crazy on the subject of the prophet Ezekiel.

It is a regrettable fact that American students do not use German readily enough to read such a book as Schoepf's in the original, unless forced to do so. Otherwise this mine of information would not have been left so long undeveloped. Mr. Morrison has rendered a great service by the mere translation of this book of travels. That the translation is well done makes the service all the greater. It is only occasionally that the word chosen in translation or the sentence structure has been determined to its detriment by the German original.

As the author had made a good many foot-notes, the editor has wisely gathered his own notes together at the end of each volume. It is unfortunate that the references to them in the text are not designated by some other device than an unsightly "heavy cross bar". The notes themselves are of the kind that makes one regret that there are not more of them.

A short and unsatisfactory index of four pages is attached to each volume.

MAX FARRAND.

Parson Weems: a Biographical and Critical Study. By Lawrence C. Wroth. (Baltimore, The Eichelberger Book Company, 1911, pp. 104.) Mr. Wroth gives a sketch of the life of Parson Weems, and a very brief account of his writings. Satisfactory so far as it goes this volume does not use to advantage an opportunity for describing an interesting character. The material available for such a study is not so limited as the writer would have us believe, and the career of Weems offers a sufficient excuse for extending the scope of the study. The one contribution made by Mr. Wroth is the proof that Weems was ordained a priest in England; beyond that, and a few excerpts from a manuscript diary of William Duke, the material has been known. That a restlessness of disposition was the reason for Weems's vagabond tendencies, that his skilful use of dialogue, of course the product of his own brain, in his biographies is the source of his popularity, that his style was that of the preacher, and his language at times more than vulgar, are facts that need not be denied; but there was a human quality in the man, evoked by his surroundings and his misapplied studies, which could well have been enlarged upon. As a bibliographical study, too, the book is also disappointing. The *Life of Washington* did not come forth in a perfect form at its first printing, but grew under Weems's hand, some of its most distinctive features being added in late editions. The relations between Weems and Washington were of the slightest, and no more than existed between Weems and Franklin. Was not one of his first publications, which Mr. Wroth considers advanced in treatment and in object, a reprint of a similar work issued in Boston in 1726? In default of a more extended biography this sketch will be useful. It has an index.

W. C. F.

Timothy Flint, Pioneer, Missionary, Author, Editor, 1780-1840: the Story of his Life among the Pioneers and Frontiersmen in the Ohio and Mississippi Valley and in New England and the South. By John Ervin Kirkpatrick, Ph.D. (Cleveland, The Arthur H. Clark Company, 1911, pp. 331.) The modern historian, who lines up inventors, flat-boat men, and poets alongside the regulation jurists and congressmen, counts among the notable personal forces in the development of the West two literary men who set a stamp upon that community, Hall and Flint. Mr. Kirkpatrick's biography for the first time reveals to this generation the vigor and light of Timothy Flint's too brief existence. Like many other founders of the West, Flint was a New England boy, who carried education and godliness into dark places. Born in North Reading, taught at Phillips Andover, graduated at Harvard in 1800, for years a minister in Lunenburg, Massachusetts, he passed twenty-five years in the West and South.

This biography amply brings out the cosmopolitanism of this frontiersman; as home missionary, as traveller, as farmer, as school-teacher, as editor, as author, Flint always exhibits a vivacity, an interest in his kind, and a style which would have marked him anywhere. He was a contributor to periodicals almost before they were founded, and during the three years' career of the *Western Monthly Review* became the critic of his fellow writers. He was also a publisher and bookseller; he wrote novels; he translated from the French; he was a corresponding member of the Massachusetts Historical Society. Above all he was a recorder of conditions and standards which have long since passed away. Flint's *Recollections* is an indispensable book for an understanding of the crude, tumultuous, half-pagan, early West, which he gave his life to civilize and enlighten.

Considering that the Union army and the Galveston hurricane combined to destroy many of the written memorials of Flint's life, Mr. Kirkpatrick has made a searching and readable biography, provided with a careful list of Flint's writings so far as they can be traced, a biography of his subject, and an unusually well-organized index. The book not only sums up an eventful life; it is a delightful picture of the intellectual and moral conditions and growth of the West.

ALBERT BUSHNELL HART.

Biographical Sketches of the Graduates of Yale College, with Annals of the College History. Volume V., June, 1792-September, 1805. By Franklin Bowditch Dexter, Litt.D. (New York, Holt, 1911, pp. 815.) Of the plan of this volume little need be said, as it has been described in reviews of previous volumes of the series. First come the annals, occupying on the average about a page to each year, then a list of the graduates of that year, with indication of honorary degrees, and after that the biographical sketches of members of the class arranged in alphabetical order. In regard to the annals one is disposed to presume that blessed is the college whose annals are brief, and yet we get glimpses

of controversies both theological and political. The sketches are not elaborate, but record, as a rule, the most essential facts. In length they are proportioned in a measure to the importance of the person, although they are not infrequently limited by the dearth of known facts. It is really noteworthy that so great a degree of definiteness has been possible. Characterizations are brief and judicious. Eulogy is employed but sparingly. After each sketch authorities are mentioned, and a bibliography of the graduate's writings is added. Although ministers are less numerous than lawyers (109 of the former, 182 of the latter) the ministers printed far more than the lawyers. It is a little surprising that out of 540 graduates commemorated in the volume only 40 became teachers. The sketches contain a good deal of genealogical fact concerning descendants as well as antecedents; but it appears to the reviewer that a little more definiteness might well have been employed at times in the mention of descendants, for example, when in the sketch of Lyman Beecher mention is made of a son who "graduated at Amherst in 1834, and proved to be the most brilliant and most distinguished of the family". Of course the Rev. Henry Ward Beecher is meant. The method appears, however, to have been used of purpose.

Recollections of Abraham Lincoln, 1847-1865. By Ward Hill Lamon. Edited by Dorothy Lamon Teillard. (Washington, the Editor, 1911, pp. xxxvi, 337.) Quite apart from any new material, a reprint of this readable little volume would have been welcome. Few men shared Lincoln's confidence more fully than Ward H. Lamon, and not even Lincoln's secretaries stood in a more intimate relation to their chief. If we are to believe that not Lamon but Chauncey Black wrote the much criticized life of Lincoln, then Lamon's authentic recollections become all the more valuable. Prompted by a filial regard for her father, the author has included a sketch of Colonel Lamon, and has appended to the book many personal letters to "show his standing during Lincoln's administration". Of these letters it must be said, that while they suggest vividly the atmosphere in which Lamon lived at Washington, they do not add appreciably to our knowledge of the President. The only Lincoln letter not found in the former edition is the well-known and often-printed letter to Mrs. Bixby. Several pages of anecdotes about Lincoln are added to the original edition, but they contribute little to the value of the book. If by Lincoln's own statement only about one-sixth of the stories credited to him were his own, what shall we say of those anecdotes which have a posthumous origin?

Three Years in the Confederate Horse Artillery. By George M. Neese. (New York and Washington, Neale Publishing Company, 1911, pp. 362.) The author is known to have been a good soldier and a very skilful gunner. He served in Chew's (Virginia) battery of horse artillery from December, 1861, until October, 1864, when he was taken prisoner and sent to Point Lookout, where he was confined until the

close of the war. He participated with the battery in Jackson's Shenandoah Valley campaigns, in the battles of Crampton's Gap and Brandy Station, in the cavalry fighting that followed Gettysburg, in the Wilderness campaign, and in several minor engagements.

Chew's battery made for itself a distinguished record in four years of hard fighting. It took its name from R. Preston Chew, who was its commander for the greater part of the war. Chew was a mere boy fresh from the Virginia Military Institute when he was made captain in 1861, yet he became one of the ablest of the younger officers in the Confederate service and ended his military career as lieutenant-colonel and chief of artillery of the cavalry corps of the Army of Northern Virginia, in succession to Pelham and Beckham.

The book purports to be a war-time diary, but it is evident that the original notes have been greatly embellished. The style is florid and the book is marred by literary flights and by the difficulty presented to the reader in distinguishing between the original diary and what has been added in later years. But there are good descriptions of the battles of Port Republic and Brandy Station, of the engagements at Poolesville and Moorefield, and of the two great cavalry reviews held by Gen. J. E. B. Stuart near Brandy Station in June, 1863; and the accounts of the author's successful marksmanship are interesting. The book is doubtless of but slight historical value, but readers with a fondness for military matters will find it entertaining and perhaps enlightening.

History of Taxation in Iowa. By John E. Brindley, Assistant Professor of Political Economy at the Iowa State College of Agriculture and Mechanic Arts. In two volumes. [Iowa Economic History Series, edited by Benjamin F. Shambaugh.] (Iowa City, State Historical Society, 1911, pp. xvii, 493; ix, 476.) Only last spring the Iowa legislature authorized the appointment of a tax commission to report upon measures of reform in the laws of the state pertaining to taxation. The causes for this action were in part general (causes operative throughout the country), but in no small part they were special. Iowa for some years (since 1900) has had a tax ferret law, and for some years Iowa has been losing in population. That the law in question has contributed to this loss is not to be averred; but the fact of such loss is supplemented by the further fact that the rate of interest on farm mortgage loans has advanced; and the two facts combined have put the farmers much upon inquiry.

In the work of the Iowa Tax Commission, Professor Brindley's book (a discussion of Iowa taxation in the light of its history) should be of the greatest service. It is comprehensive in scope, scientific in method, thorough in research, and lucid in statement. Part I. treats of the general property tax, emphasizing the point that the clue to better conditions lies in improved administration. Part II. discusses special problems in taxation: the taxation of banks, of insurance companies, of express companies, of telegraph and telephone companies; the inheritance tax; poll

and license taxes; tax exemptions; tax limitations; taxation of moneys and credits; the tax ferret system. Part III. treats of the taxation of railways. For existing tax evils in general, Professor Brindley's remedy (so far as he discovers one) is state control of local assessments. The total exemption of personal property from taxation is deemed premature until substitutes are found in business or rental taxes and in a uniform tax of three or four mills upon intangible property. The taxation of railways, Professor Brindley thinks, should be upon an *ad valorem* assessment by the state with a proper apportionment of values between state and localities.

I. B. R.

Index and Dictionary of Canadian History. Edited by Lawrence J. Burpee, F.R.G.S., Librarian of the Carnegie Library, Ottawa, and Arthur G. Doughty, C.M.G., Litt.D., Dominion Archivist, Ottawa. [The Makers of Canada, vol. XXI.] (Toronto, Morang and Company, 1911, pp. xii, 446.) This appendix volume to the *Makers of Canada* series is at the outset furnished with an illustrated chronological chart, a concise introduction containing some valuable hints on bibliography, and a good scheme of abbreviations. The book proper falls naturally into three divisions. The main part, consisting of the index and dictionary, fills 417 pages, and is arranged alphabetically. Each item of importance usually begins with a short history of the topic, followed by an index to the places where it is mentioned in the series, and closes with a few bibliographical references. These items range in bulk from two pages for such men as Lord Dorchester or Robert Baldwin to merely a line for subjects of trifling importance. Too much reliance seems to have been placed on the individual indexes to the different volumes, and as these are sometimes faulty the final result is not always as complete as could be wished. As examples one may turn to "Civil List", where at least one important reference is overlooked in the life of Papineau, page 77, or to "Immigration", which entirely omits any mention of this subject under the French régime, although important details are given in Le Sueur's life of Frontenac, pages 56-57, 148. The bibliographical references are usually satisfactory, occasionally a superseded book or article appearing in place of the standard work.

The second division, which includes pages 419-433, is devoted to manuscript sources for further study, which may be found at the Dominion Archives, Ottawa. This furnishes material on twenty-six persons, arranged in twenty-one sections, with an additional—and curiously inadequate—section on American Colonies. While this part, which is virtually an appendix, is not a complete guide to manuscript sources at Ottawa, and indeed does not pretend to be, yet it can well serve as a basis for exhaustive researches, and is a valuable adjunct. An eccentric feature is the use of the term "Serie" to denote a single collection of manuscripts, while "Series" is reserved for the plural.

The remainder of the book contains a partial list of rare maps and

plans relating to Canada, taken from the 7,000 maps at the Dominion Archives.

In spite of occasional omissions and inaccuracies this volume is one of the best of the series. Both the index and the introduction contain valuable bibliographical notes, and the former has, in the words of the editors, "a great deal of additional information, bearing on the subject-matter of these volumes, but which from its very nature it was impossible to incorporate in the text". Thus the main portion forms in some degree a dictionary of Canadian history, limited on the one hand by *lacunae* in the volumes to which it is a guide and augmented on the other by numerous useful details taken from a wide range of printed books and manuscript sources.

Review of Historical Publications relating to Canada. Edited by George M. Wrong, M.A., and H. H. Langton. Volume XV. *Publications of the Year 1910.* (Toronto, University Press, 1911, pp. xi, 220.) The "constant reader" of these excellent annual volumes must be impressed with the evenness of execution maintained for fifteen years in such a series of reviews of books and articles, and with the comprehensiveness of the survey. In the section on Canada's relations to the Empire, he can hardly fail to be struck with the great increase in fifteen years in the definiteness with which Canadian writers see and express those imperial relations, with the clarifying, in short, of national self-consciousness. It may be valuable, in these pages, to mention certain books of importance which this journal has unfortunately failed to notice heretofore: in the general section, Mr. James H. Stark's *The Loyalists of Massachusetts, and the Other Side of the American Revolution* (Boston, J. H. Stark), and Sir Wilfred Laurier's *Discours à l'Étranger et au Canada*; in the section devoted to provincial history, Mr. A. L. Haydon's *The Riders of the Plains: a Record of the Royal North-West Mounted Police of Canada*; and in the ecclesiastical section, Father A. G. Morice's *History of the Catholic Church in Western Canada*. The economic and ethnological sections are, as usual, ample.

TEXT-BOOKS

The New Europe, 1789-1889, with Short Notes, Bibliographies, Biographies, Diagrams, and Maps, by Reginald W. Jeffery, M.A. (Boston and New York, Houghton Mifflin Company, 1911, pp. xv, 401.) This is a brief handy outline, by an Englishman, of the political, or rather of the diplomatic and military, history of Europe between the dates indicated in the title. Many facts are tightly packed within a brief compass. But for use as a text-book an amount of space which seems excessive is devoted to military events. For instance, only thirty-seven pages—unsympathetic pages—are given to the non-military history of the whole French Revolution from 1789 to 1799, and nearly three times that number to the military events of the Revolutionary and Napoleonic era. No

account at all is given of Napoleon's Concordat, of his reorganization of local government, education, and finance, or of his public works. Similarly, there are twelve pages of text and chronological outline on the battles of the Franco-Prussian War, but no description at all of the constitution or working of the French and German governments which followed that war. Military history is indeed a good subject for boys to study, and it can be made very instructive and interesting if the tactics of a few important battles or the strategy of one or two campaigns is described in some detail. But military history which consists chiefly of the bare mention of a great many names of battles and generals, as is largely the case in this volume, can scarcely be found by a pupil either interesting to read or easy to remember. In a history of "The New Age" one would expect to find some discussion of republican ideas, party government, colonial expansion, the Industrial Revolution and its consequences, and the attitude and activity of the Roman Church. But of these things there is almost nothing.

Mr. Jeffery has inserted several diagrams, which as he modestly says in his preface, "have proved useful in the past to many of my pupils purely as an aid to visual memory. They are in no sense anything more than reminders of the subject of the previous chapter." The diagrams are ingenious and may no doubt be very helpful in the hands of a careful teacher. But there is always the danger that the pupil will tend to commit to memory the visual image without really understanding the subject. There is also the danger that such formal aids will say too much or too little. For instance, in the diagram of "The Results of the Battle of Trafalgar" it is too much to include among the results of the battle events which happened before the battle took place, such as Napoleon's abandonment of the camp at Bonlogne and the capitulation at Ulm. There are good maps, but the genealogical tables would have been more useful if they had been extended in every instance to include the sovereigns of to-day. Unfortunately there are several inaccurate statements in the text, and the proof-reading, especially of the proper names, has not been careful—Prokersch-Osben for Prokesch-Osten (p. 214), Hertzeberg and Hertzburg for Hertzberg (pp. 42, 154), and more than a score of other similar misprints.

SIDNEY B. FAY.

COMMUNICATIONS

ITHACA, August 7, 1911.

The Managing Editor:

Dear Sir:

May I ask the readers of my Luther Fragment in the July REVIEW to correct the *u* of *componendum* (in line 3) to an *a*? The photographic facsimile shows me that what I had taken for a *u*-hook is only a fleck in the paper above an open *a*, and the word therefore not a gerund, but the more usual gerundive. I was about to ask also that after *praerigoro-*

sum (lines 5, 6) there be inserted a query, like that after *aliter* (line 15) and that scholars help me to better readings for both; but there reach me from an eminent student of the Reformation, Dr. Georg Buchwald, both the corrections wanted. *Pracri[gor]osum* should read *prae[cordi]orum*, and *aliter* should be *etiam*.

Very truly yours,
GEORGE L. BURR.

1, rue du Rabot,
Dijon, France, le 2 Août 1911.

Monsieur le Directeur :

Je vous prie de vouloir bien insérer, dans *The American Historical Review*, la note rectificative suivante, au sujet d'un article publié par elle sur le *Concordat de 1516*, dont je suis l'auteur (pp. 805-806, Juli 1911).

1. Cet article, signé J. W. T., prétend que je n'ai rien ajouté d'important à ce qui était connu des négociations diplomatiques du Concordat de 1516. Or, j'ai publié (1) le texte des articles adoptés à Bologne, qui était encore inédit; (2) les instructions données à Roger Barne pour mettre le traité sur pied, et qui étaient également inédites; (3) les instructions envoyées au nonce en France à ce sujet et aussi inconnues jusqu'ici dans leur teneur originale—trois sortes de documents d'un haut intérêt.

2. On affirme que je regrette que l'Église de France soit devenue concordataire. Non, je ne regrette pas cela. Ce que je regrette c'est qu'on ait mal appliqué le concordat, parce que le mauvais usage, qui en a été fait, ne lui a pas permis de porter tous ses fruits.

3. On m'accuse d'avoir mal défini l'attitude des États d'Orléans, en ne recourant pas aux ouvrages du chancelier de l'Hospital. Mais ces ouvrages sont sujets à caution; j'ai reproduit les discours du chancelier d'après les procès-verbaux. On me reproche, à ce sujet, de ne m'être pas servi dans mon ouvrage de la collection des lois d'Isambert. Ma réponse est que m'en suis servi à ce sujet, comme dans tout mon travail. Je les ai citées plus de quarante fois et souvent analysées. Il est surprenant que l'on n'ait pas vu cela.

4. On prétend que j'ignore complètement la littérature moderne (dans ses rapports avec mon sujet, sans doute). Celui qui a formulé cette assertion n'a donc pas reconnu les nombreux écrivains que j'ai cités sur les points les plus délicats de mon travail, et dont les ouvrages, au nombre de plus de trente, ont été publiés depuis peu. Qu'il me soit permis de redire ici leurs noms justement honorés parmi nous: MM. Lavisso et ses collaborateurs, M. Louis Madelin, M. Pastor, M. O. Martin, M. Imbart de la Tour, M. Noël Valois et tant d'autres indiqués soit en note, soit dans la Bibliographie de mon ouvrage.

On cherche enfin, ce semble, à déprécier mon travail en l'accusant à diverses reprises de reproduire les théories du moyen-âge sur la constitution de l'Église, sans prendre garde que l'on fait une double erreur. D'abord, les idées que j'ai exposées à ce sujet sont antérieures au moyen-

âge; ensuite, ces idées, si le moyen-âge les a professées, lui ont survécu, et elles sont encore enseignées aujourd'hui dans les écoles catholiques.

Veuillez agréer, Monsieur le Directeur, l'expression de mes sentiments très distingués.

J. THOMAS.

HANOVER, N. H., August 31, 1911.

The Managing Editor:

Dear Sir:

The Abbé Thomas's letter of exception to my review finds me in the vacation season, without access to my notes upon his work, or the work itself, and I have only the actual review, supplemented by memory, upon which to frame a reply.

The abbé's complaint resolves itself into two parts: one of opinion, the other of fact. To his first exception I would say that the three documents alluded to may be "d'un haut intérêt", but at the time the review was written they did not seem to me to be of the supreme historical importance which the author attaches to them. The words of the review, "much of the detail is new", were meant to describe accurately their nature, and I think do so. As to item 3: it is true that the author reproduces the discourse of the Chancellor L'Hôpital after the procès-verbaux of the States General. But is a critical historical writer to avoid the use of the chancellor's other writings because they are "sujets à caution"? The function of scientific historical scholarship is to be critical in spirit and method. I am constrained to the belief (which I refrained from expressing in the review) that L'Hôpital contains too much for the abbé's purpose. The same objection, in less degree, applies to his use of Isambert. When the crown policy was pro-Huguenot, as in 1560, and again at Moulins, the legislation often has a tenor which the reader would not always discover from the analysis of it. One gets the impression that the author's commentary is sometimes based on the interpretation of preceding Catholic writers, and not upon careful weighing of the actual source, and that citation to Isambert is merely *pro forma*. The statement, that the "modern literature [has been] entirely ignored", I believe will stand the test of any candid reader who has studied the literature of the period. It was not intended to imply that the learned abbé was ignorant of the works of MM. Lavissee, Madelin, Pastor, Imbart de la Tour, Noël Valois, etc. But what has he profited by them? He *has* ignored them, in the (English) sense of refusing to accept the findings of modern historical scholarship in regard to the history of the French Reformation in any large degree.

Finally, the paragraph numbered 2 in the abbé's letter, and the concluding one, it seems to me, lie outside the province of reply because they deal with things that are rather matters of opinion than of fact.

Very truly yours,

J. W. T.

NOTES AND NEWS

AMERICAN HISTORICAL ASSOCIATION

Volume II. of the *Annual Report* for 1908, finishing the Diplomatic Correspondence of the Republic of Texas, edited by the late Professor George P. Garrison, has now been issued to members. From motives of requisite economy, the practice has been adopted of requesting members to make a positive reply as to their desire to receive the Association's bulky annual reports before the volumes are sent out. Members however who have neglected to reply to the first notifications may obtain the volumes by subsequent request. The *Annual Report* for 1909, one volume, is nearly ready for distribution. The long extra session of Congress has delayed composition upon volume I. of the *Annual Report* for 1910.

Beginning with the *Annual Report* for 1909, as previously mentioned, Miss Grace G. Griffin's annual bibliography entitled *Writings on American History*, heretofore separately published, will hereafter be incorporated in the annual reports of the Association. But libraries and individuals desiring to obtain this bibliography in separate copies will still be able to do so by applying to the secretary of the Association, Mr. Waldo G. Leland, 500 Bond Building, Washington, D. C.

PERSONAL

We regret to learn of the approaching retirement of Father Franz Ehrle, S. J., the distinguished prefect of the Vatican Library. It is understood that he will be succeeded by Mgr. Achille Ratti, prefect of the Ambrosian Library at Milan.

M. Charles Diehl, professor of Byzantine history at the University of Paris, is to occupy by exchange the position of a professor of history at Harvard University during the first half of the present academic year, giving courses in Byzantine history and on France in the Orient in the Middle Ages.

Dr. Arthur I. Andrews of Simmons College has become associate professor of history in Tufts College.

Dr. David S. Muzzey has been appointed as "associate" (lecturer) in the historical department of Columbia University (Barnard College).

Dr. James C. Ballagh has been advanced from the grade of associate professor to that of professor of American history in the Johns Hopkins University.

Dr. Albert H. Lybyer has been promoted to a full professorship of medieval and modern European history in Oberlin College.

Dr. E. Tuthill has been promoted to the professorship of history in the University of Kentucky, Lexington.

Dr. Winfred T. Root has been appointed to an assistant professorship of history in the University of Wisconsin.

Professor E. C. Barker has been promoted from an adjunct professorship to be associate professor of American history and chairman of the department of history at the University of Texas. Dr. Frederick Dun-calf has returned to the University of Texas from his chair at Bowdoin College.

GENERAL

Hachette of Paris announces a *Nouvelle Histoire Universelle* in ten small volumes by eminent writers (not named). The volumes (illustrated) will be devoted separately to the Orient, Greece, Rome, Germany, America, England, Spain, Italy, France, and Russia.

The bibliographical reviews in the *Revue Historique* for July-August continue the lists for German medieval history, 1907-1909, by F. Vignier, for Italian history, fifteenth to eighteenth century, by L. G. Pélissier, for modern French history, by Henri Hauser, and for Belgian national history, 1908-1910, by Eugène Hubert. There should also be mentioned the short critique by I. Kont of publications in 1910 on Hungarian history.

In the *Cambridge Historical Series* several new volumes are announced: on the Levant, 1815-1900, by Mr. D. S. Hogarth; on the Netherlands since 1477, by Rev. George Edmundson; on Switzerland since 1499, by Rev. W. A. B. Coolidge; on Germany and the Empire, 1493-1792, by Professor A. F. Pollard; on modern Germany, 1815-1889 (two vols.), by Mr. J. W. Headlam; on modern France, 1815-1900 (two vols.), by Mr. W. A. J. Archbold; and on British India, 1603-1838, by Mr. G. W. Forrest.

For new "series" of small books offering "useful knowledge" by competent authorities on the most diverse subjects there seems to be a steady popular demand, even though the publishers' claims of educational importance for such series may be subject to discount. The latest of such is the *Home University Library* (New York, Holt). Of the books thus far brought out in the series several are historical. Mr. Hilaire Belloc on *The French Revolution* is of course interesting, and devotes himself chiefly to expounding the underlying theory, the military movements, and the dealings with the Church to which he belongs. Mrs. J. R. Green's *The Irish Nationality* has the eloquence, the warmth, and the exaggeration her larger book would lead us to expect; no nation can ever have been so gifted as the Irish or so systematically wicked as the English are shown in this brilliant diatribe to have been. On the other hand, Sir Courtenay Ilbert's *Parliament, its History, Constitution, and Practice* is a model of sane statement as well as of careful construction and authoritative knowledge. Mr. J. Ramsay Mac-

donald, chairman of the British Labor Party, writes on *The Socialist Movement*. Some of the other books may call for separate notice.

Messrs. Henry Holt and Company have published an *Historical Atlas*, prepared by Professor W. R. Shepherd of Columbia University.

Professor Lewis H. Haney of the University of Texas has brought out through Macmillan a *History of Economic Thought: a Critical Account of the Origin and Development of the Economic Theories of the Leading Thinkers of the Leading Nations*.

Dr. H. J. Nieboer's *Slavery as an Industrial System*, since its appearance in 1900 the most scientific study of the economic causes and relations of slavery among savage and barbarous nations, has been issued in a new, somewhat revised edition (Hague, Nijhoff, 1910, pp. xx, 474).

A new journal, *Archiv für die Geschichte des Sozialismus und der Arbeiterbewegung* (Leipzig, Hirschfeld) made its first appearance in November, 1910. Three numbers will be published each year. The *Archiv* is edited by Dr. Carl Grünberg, professor of political economy in the University of Vienna.

Mr. Raymond G. Gettell's *Readings in Political Science* (Boston, Ginn, pp. xli, 528) consists of 504 extracts, obviously very short, from excellent or reputable authors. Those which are historical are mostly good, but such bits do not carry one far.

Dr. F. Foy has assumed the editorship of a *Kulturgeschichtliche Bibliothek* to be published by C. Winter, Heidelberg, and the first volume has appeared (F. Gräbner, *Methode der Ethnologie*). The collection will have three sections—Ethnologische Bibliothek, Bibliothek der Europäischen Kulturgeschichte, Allgemeinere Werke.

Lieferungen 56-57 of *Die Religion in Geschichte und Gegenwart* contain a notable study by Professor K. Wenck on the College of Cardinals, with particular reference to the later Middle Ages.

Quelle and Meyer, Leipzig, have added to their collection *Wissenschaft und Bildung* (edited by Dr. Paul Heere) a brief but comprehensive study of *Das Märchen* by Friedrich von der Leyen (1911, pp. 154). The author aims especially to make more generally recognized the importance of the fairy tale and thus to forward research concerning it. Most of the volume is occupied with the consideration of the general conditions of the fairy tale and its place in literary and cultural history; this is followed by more special discussions of the Indian, Arabian, and Teutonic species.

Noteworthy articles in periodicals: Moritz Ritter, *Studien über die Entwicklung der Geschichtswissenschaft* (*Historische Zeitschrift*, CVII. 3); Leo Wiener, *Economic History and Philology* (*Quarterly Journal of Economics*, February); P. Barth, *Geschichte der Erziehung in soziologischer Betrachtung* (*Vierteljahrsschrift für wissenschaftliche Philosophie*, XV. 1); Edward Clodd, *Primitive Man on his own*

Origin (Quarterly Review, July); J. H. Robinson, *The Spirit of Conservatism in the Light of History* (Journal of Philosophy, Psychology, and Scientific Method, May).

ANCIENT HISTORY

Messrs. Putnam announce *Aspects of Religious Belief and Practice in Babylonia and Assyria*, by Professor Morris Jastrow.

Dr. Carl Klotsch's *Epirotische Geschichte bis zum Jahre 280 v. Chr.* (Berlin, Weidmann, 1911, pp. viii, 240) is a contribution of distinct value, both scholarly and well-written.

An important work on Thucydides is Dr. G. B. Grundy's *Thucydides and the History of his Age* (London, John Murray, 1911, pp. xix, 553), in which the life of Thucydides, the text and composition of his work, the economic background of Greek history, the policy of Sparta, and the art of war and military policy of Thucydides's time are fully discussed.

In the *University of Michigan Studies*, Humanistic Series, III. 213-286 (1910), Professor H. H. Armstrong discusses "Autobiographic Elements in Latin Inscriptions", chiefly the sepulchral.

Dr. E. G. Hardy has translated, and supplied with learned introductions and notes, *Six Roman Laws* (Oxford, Clarendon Press) of the later Roman republic, namely, the Lex Acilia Repetundarum, Lex Agraria, Lex Antonia de Termessibus Maioribus, Lex Municipii Tarentini, Lex Rubria de Gallia Cisaalpina, and Lex Julia Municipalis.

The *Bibliothèque des Écoles Françaises d'Athènes et de Rome* (Paris, Fontemoing) has just added a volume by Professor Pierre Jouguet of the University of Lille entitled *La Vie Municipale dans l'Égypte Romaine*.

There is perhaps no better treatment of its theme available in English than *Roman Stoicism*, lectures on the history of Stoic philosophy in the Roman Empire, by Professor E. Vernon Arnold of the University of North Wales (Cambridge University Press, 1911, pp. xii, 468).

Guglielmo Ferrero's *Century* articles on the Women of the Caesars are to be published, with some remaking, in book form by the Century Company.

Noteworthy articles in periodicals: R. v. Lichtenberg, *Einflüsse der Ägäischen Kultur auf Ägypten und Palästina* (Mittheilungen der Vorderasiatischen Gesellschaft, 1911, 2); H. H. Armstrong, *Privernum*, II. *The Roman City* (American Journal of Archaeology, April-June).

EARLY CHURCH HISTORY

The *Revue des Questions Historiques* for July contains a very useful and comprehensive critical review by Dom Fernand Cabrol under the

title "Chronique d'Archéologie Chrétienne et de Liturgie" (pp. 158-189). It includes articles as well as books, and is particularly full for publications in English.

An English translation of Professor Hartmann Grisar's *History of Rome and the Popes during the Middle Ages* is to be published by Messrs. Kegan Paul in London, and in St. Louis by B. Herder. The first volume has already appeared.

Noteworthy articles in periodicals: W. M. Ramsay, *Historical Commentaries on the Epistles to Timothy* (The Expositor, March, 1911); P. Manceaux, *La Question de Priscillianisme* (Journal des Savants, 1911, 2-3).

MEDIEVAL HISTORY

The diplomatic of the private document, as distinguished from that of papal bulls and imperial and royal charters, is now systematically covered by Professor Oswald Redlich of Vienna in *Urkundenlehre*, III. Teil; *Die Privaturkunden des Mittelalters*, a section of Below and Meinecke's *Handbuch*. Erben's volume on imperial and royal documents has already appeared; Schmitz-Kallenberg's on the papal is announced for this autumn.

M. J. Delaville le Roulx has collected in a volume entitled *Mélanges sur l'Ordre de S. Jean de Jérusalem* (Paris, Picard, 1910), some eighteen dissertations published by him during the last thirty years, and supplementing in a valuable manner his greater works on the Hospitallers.

An organ of the Roman curia little studied hitherto is examined carefully, as to its origins at least, in M. Léonce Celier's *Les Dataires du XV^e Siècle et les Origines de la Daterie Apostolique* (Paris, Fontemoing, 1910, pp. 173), a publication of the French Schools of Athens and Rome.

Noteworthy articles in periodicals: Paul Allard, *Les Origines du Servage*, III. (Revue des Questions Historiques, July); Siegmund Hellman, *Studien zur Mittelalterlichen Geschichtschreibung*, I. Gregor von Tours (Historische Zeitschrift, CVII. 1); Henri Prentout, *Littus Saxonicum, Saxones Bajocassini, Otlinga Saxonia* (Revue Historique, July-August); P. Fournier, *Le Décret de Burchard de Worms: Ses Caractères, son Influence*, I. (Revue d'Histoire Ecclésiastique, July); Emil Dürr, *Galeazzo Maria Sforza und seine Stellung zu den Burgunderkriegen* (Basler Zeitschrift für Geschichte und Altertumskunde, X. 2); H. X. Arquillère, *L'Origine des Théories Conciliaires* (Comptes-rendus de l'Académie des Sciences Morales et Politiques, May).

MODERN EUROPEAN HISTORY

Whoever hereafter studies European diplomacy in any aspect involving the papacy, in the period from 1500 to 1648, must by all means possess a volume compiled by Mr. H. Biaudet, *Les Nonciatures Apos-*

toliques Permanentes jusqu'en 1648, a publication of the Finnish Academy of Sciences (*Annales*, II. 1, Helsingfors, 1910, pp. x, 329), containing carefully prepared lists of nuncios, with full names and identifications, for all Europe, together with an historical introduction on the office, and full indexes.

Messrs. G. van Oest and Company, of Brussels, have just published a curious and interesting "study in iconographic anthropology" by Dr. Osw. Rubbrecht, *L'Origine du Type Familiale de la Maison de Habsbourg* (pp. 160, 82 plates), based on a long study of portraits, and illustrated by reproductions of the best of them.

Professor Alfred Gudeman has published a supplement to his *Grundriss der Geschichte der klassischen Philologie* in the form of a collection of portraits, *Imagines Philologorum: 160 Bildnisse aus der Zeit von der Renaissance bis zur Gegenwart* (Leipzig, B. G. Teubner, 1911, pp. viii, 40).

Archives du Musée Teyler, serie II., vol. II., deuxième partie (Haarlem, 1911), contains (pp. 79-296) correspondence of Robert Dudley, earl of Leicester, and of François and Jean Hotman, edited by Professor P. J. Blok. In the Leicester correspondence (1582-1588) there are 66 letters, mainly to Leicester; among the correspondents are William, prince of Orange, Henry II. of France, and Henry of Navarre. The letters to François Hotman (37 in number) date from 1580 to 1589; those (numbering 27) to Jean Hotman, who was secretary to Leicester, begin in 1586 and extend to 1609. This entire group of hitherto unpublished correspondence is of unusual value for the diplomatic and political history of the period.

Messrs. Ch. De Lannoy and H. Vander Linden have published the second volume of their *Histoire de l'Expansion Coloniale des Peuples Européens*, bearing the subtitle *Néerlande et Danemark, XVII^e et XVIII^e Siècles* (Brussels, H. Lamertin, 1911, pp. 487).

MM. Plon-Nourrit have published a *Table Alphabétique des Noms Propres* for Sorel's *L'Europe et la Révolution Française*, the work being prepared by M. Albert Émile Sorel.

There is announced by the military publishing house of Henri Charles Lavanzelle, Paris, a new volume on Waterloo, accompanied by new documents.

The history of the Russian-Japanese war that is being published by the Russian General Staff is being issued rapidly in a German translation (Berlin, Mittler und Sohn), several volumes having appeared in 1910. The translator is Lieut.-Colonel von Tettau and the edition will be complete in five volumes in lieu of the nine of the original, a large portion being omitted as of little interest outside Russia. Lieut.-Colonel von Tettau is the author of a highly-praised work entitled

Achtzehn Monate mit Russlands Heeren in der Mandchurie; he commends strongly the objectivity of the staff history of the war.

F. Alcan, Paris, has published in the *Bibliothèque d'Histoire Contemporaine* a third enlarged and revised edition of A. Tardieu's *La Conférence d'Algésiras: Histoire Diplomatique de la Crise Marocaine*. The additions are mainly in an appendix entitled, "Le Maroc après la Conférence, 1906-1909".

Noteworthy articles in periodicals: P. Kalkoff, *Zu Luthers Römischen Prozess* (Zeitschrift für Kirchengeschichte, XXXII. 2); J. Rauscher, *Der Halleysche Kommet im Jahre 1531 und die Reformatoren* (Zeitschrift für Kirchengeschichte, XXXII. 2); *The Battle of Fontenoy* (Edinburgh Review, July); François Rousseau, *L'Ambassade du Marquis de Talaru en Espagne* (Revue des Questions Historiques, July); A. Stern, *Zur Geschichte der Mission des Baron von Werner nach Berlin im September 1845* (Historische Zeitschrift, CVII. 3).

GREAT BRITAIN AND IRELAND

Professor George Henderson's first course of Glasgow lectures on folk-psychology has been published under the title *Survivals of Belief among the Celts* (Glasgow, 1911, pp. 364); the examples of pagan survival into Christian times are taken chiefly from Scotland.

The Cambridge University Press has issued in three volumes (pp. 498, 496, 568) *The Collected Papers of Frederic William Maitland*, on the importance of which it is needless to enlarge. Nearly all Maitland's scattered writings save his Selden Society prefaces are included; nearly all lie in the field of legal and social history.

In the *Victoria History of the Counties of England* the latest issues are volume IV. of Hampshire and the Isle of Wight and volume IV. of Lancashire.

In *A History of Architecture in London* (London, Batsford) Mr. Walter H. Godfrey accompanies all his historical chapters with citation and drawings of examples in London still in existence.

Grotesque and trivial as serjeanties may appear in the daylight of the twentieth century, no one will question the difficulties presented by their history, the light it may throw on legal and constitutional matters in the remote past, nor the unique fitness of Mr. J. Horace Round to deal with it. This he has done in *The King's Serjeants and Officers of State, with their Coronation Services* (London, Nisbet and Company, 1911, pp. xviii, 416).

Mr. Francis A. Hibbert, headmaster of Denstone, has published a careful and well-documented monograph on *The Dissolution of the Monasteries in Staffordshire*.

The Oxford University Press announces the publication of *Anglo-Dutch Rivalry, 1600-1653*, by Rev. George Edmundson, and of volume IV. of Professor C. W. C. Oman's *History of the Peninsular War*.

The Transactions of the Baptist Historical Society, vol. II., no. 3, contains an article by Mr. Champlin Burrage on "Chamberlen's First Day Church", presenting contemporary records of an early Separatist church, organized in 1653-1654; also an article on the Fifth Monarchy Movement, by Mr. Farree.

Messrs. Constable and Company have just published *Municipal Origins*, by Mr. F. H. Spencer, which proceeds from the London School of Economics and is occupied with the private bill legislation of the eighteenth and early nineteenth centuries, so far as it related to local governing bodies.

British Statesmen of the Great War, 1793-1814 (the Ford Lectures for 1911), by Hon. J. W. Fortescue, has been published by the Oxford University Press.

M. Jacques Bardoux has added to his studies of Queen Victoria a volume entitled *Victoria I., Édouard VII., Georges V.*, in which he aims to expound the personal element in nineteenth-century English monarchical government and to trace its evolution. The book will be a valuable supplement to the more formal constitutional treatises.

The Life and Letters of Sir John Hall (Longmans), by S. M. Mitra, for which Rear-Admiral Sir R. Massie Blomfield has written an introduction, purports to be the first authoritative history of the medical department of the British army in the Crimea. Sir John Hall was the principal medical officer of the army.

British government publications: *Report on the Manuscripts of Lord Polwarth*, I. [1716-1725, Historical Manuscripts Commission].

Other documentary publications: *Registers of Bishops Baldock, Segrave, Newport, and Gravesend of London*, II., Grosseteste of Lincoln, I., II., Trillek of Hereford, I. (Canterbury and York Society); *Records of Inverness*, vol. I., *Burgh Court Books*, 1556-1586, ed. William Mackay and Herbert Cameron Boyd (Aberdeen, New Spalding Club); *Diary of Sir Archibald Johnston of Wariston*, 1632-1639, ed. Dr. George M. Paul (Scottish Historical Society).

Noteworthy articles in periodicals: C. H. Haskins, *England and Sicily in the Twelfth Century* (English Historical Review, July); C. L. Wells, *The Origin of the Petty Jury* (Law Quarterly Review, July); E. M. Blackie, *Reginald Pecock* (English Historical Review, July); G. Constant, *La Transformation du Culte Anglican sous Édouard VI.*, conclusion (Revue d'Histoire Ecclésiastique, July); E. M. G. Routh, *The English at Tangier* (English Historical Review, July); Comte Marc de Germigny, *Les Brigandages Maritimes de l'Angleterre sous le Règne de Louis XVI.*, I. (Revue des Questions Historiques, July); H. A. L. Fisher, *The Historical Work of Lord Acton* (Quarterly Review, July); C. H. Bastide, *La Crise Constitutionnelle en Angleterre* (Revue de Synthèse Historique, April).

FRANCE

The first fascicule of the fourth volume of the *Inventaire Sommaire des Archives Historiques* has been published by the French Ministry of War (1910). It contains notices of volumes 2905-3094 of the principal series, "Correspondance", covering the years 1741-1745, and relating mainly to operations in Germany and the Netherlands.

The *Bibliothèque de l'École des Chartes* for January-April, 1911, publishes, in pursuance of the practice begun in 1903, a biennial summary of additions to the French and Latin manuscripts in the Bibliothèque Nationale during 1909 and 1910. This is the fifth such summary and it is announced that there will be published shortly a *Répertoire Général Alphabétique* of such additions for the period 1891-1910. The present list is prepared by H. Omont and represents 463 volumes; it does not however include M. Léopold Delisle's important collection of manuscripts relating to the history of Normandy, acquired by the National Library at his death, as the cataloguing was not yet completed.

The Academy of Inscriptions and Belles-Lettres has awarded the Grand Prix Gobert to M. Charles de la Roncière for his *Histoire de la Marine Française*, tomes III. and IV.

The large literature of the Religious Wars in France has been added to by a volume entitled *Les Luttes Religieuses en Champagne au XVI^e Siècle: La Ligue*, by A. Prevost (Troyes, G. Fremont, 1911, pp. xvi, 348).

There has been added to the *Collection de Documents Inédits sur l'Histoire de France* a volume entitled *Les Actes de Sully passés au Nom du Roi de 1600 à 1610 par devant M. Simon Fournier, Notaire au Châtelet de Paris*, ed. F. de Mallecoüe (Paris, Imprimerie Nationale, 1911, pp. lxxii, 516).

Mr. Paul Decharme's *Le Comptoir d'un Marchand au XVII^e Siècle* (Paris, Hachette, pp. lxxvii, 245), based on the commercial correspondence, 1678-1700, of Charles Lion, merchant of Honfleur, illustrates interestingly the nature and course of mercantile business in the time of Louis XIV.

A figure of considerable interest to Americans, though of secondary historical importance, is treated competently though in a laudatory spirit by the Marquis Calmon-Maison in *L'Amiral d'Estaing* (Paris, Calmann-Lévy, 1910, pp. 513).

Among the recent volumes in the *Collection de Documents Inédits sur l'Histoire Economique de la Révolution Française* are a third volume of M. Mourlot's selection of documents from the district of Alençon, a second volume of M. Vernier's *cahiers* of the *bailliages* of Troyes and Bar-sur-Seine, and the initial volumes of two new groups on the sale of the *biens nationaux*, *Vosges* (Épinal), edited by M. Léon Schwab (pp. lxxxvii, 384), and *Gironde* (Bordeaux and Bourg), edited by MM. Marion, Benzacar, and Caudrillier (pp. xxxviii, 710).

An interesting addition to the material accumulated in the effort to connect Revolutionary and Napoleonic policies with the Old Régime is presented in Fr. Charles Roux's *Les Origines de l'Expédition d'Égypte* (Paris, Plon, 1910, pp. 343). He shows how the conception of Turkish alliance and maintenance of Turkish integrity had through the later eighteenth century been yielding in French policy before the perception of Turkish decline and how the idea of a French possession of Egypt as essential in the contest with England had been coming forward.

Part I. of the *Histoire Générale du Théâtre en France* (Paris, Flammarion) has been completed by the publication of tome V., being *La Comédie de la Révolution au Second Empire*, by M. Eugène Lintilhac.

The Librairie Renouard has published volume II. of M. Henri Bouilhet's *L'Orfèvrerie Française aux XVIII^e et XIX^e Siècles*, a volume covering the period 1800-1860. The first volume of this work covered the eighteenth century; the third will deal with the period 1860 to 1900. The books are profusely illustrated and are the work of one of the leading representatives of the art in France in the latter part of the nineteenth century.

Frédéric Loliée, author of *Le Duc de Morny et la Société du Second Empire*, has of late been devoting his gifts and attainments in the personal and gossippy sides of history to the career of Talleyrand, and some time ago published a volume entitled *Talleyrand et la Société Française*. This work has now been completed by a second volume on *Talleyrand et la Société Européenne* (Paris, Émile Paul, 1911).

An extensive *Histoire de la Guerre de 1870-1871*, in fourteen volumes, by J. L. Poirier and H. Bricoux, is to be published (Paris) by the Librairie d'Éditions et de Publications Littéraires, the first volume to be issued in August, 1911, and the later ones at intervals of three months. The two volumes on the siege of Paris will however be distributed in weekly parts from August, 1911.

An important new work begins with the publication of volume I. of Edmond Lepelletier's *Histoire de la Commune de 1871* (Paris, Mercure de France, 1911, pp. 555).

Souvenirs de Casablanca, by Captain Paul Azan (Paris, Hachette, 1911, pp. xiii, 417), is a vivid and exceedingly minute narrative of an interesting episode of recent North African warfare, composed from diaries and illustrated by many photographs, by a clever and competent young officer.

M. Paul Lacombe, who in 1902 published a *Bibliographie des Travaux de M. Léopold Delisle*, has now issued a supplement (Paris, Henri Leclerc, 1911, pp. xxiii, 87), containing the numbers 1890-2102 and various corrections to the main bibliography.

An important addition to the religious and artistic history of France is the work entitled *Le Mont Saint-Michel: Histoire de l'Abbaye et de la Ville: Étude Archéologique et Architecturale des Monuments*, by Paul Gont, Architecte-en-Chef des Monuments Historiques (Paris, Armand Colin, 1911, pp. 772, with 470 engravings and 38 plates). It has been awarded the Prix Bordin by the Academy of Inscriptions and Belles-Lettres.

M. François Galabert, conservator of the Toulouse archives, projects, with the aid of M. Clovis Lassalle, the publication of an *Album de Paléographie et de Diplomatie, Fac-similés de Documents relatifs à l'Histoire du Midi de la France et en particulier de la Ville de Toulouse, conservés dans les Archives Méridionales*. The work will be published at Toulouse in ten issues, through five years; the facsimiles will be complete and will be accompanied by transcriptions.

Paul Courtreault gives in the *Revue des Questions Historiques* for July, under the title "Bulletin du Sud-Ouest (1909-1910)", "une vue d'ensemble sur le progrès des études préhistoriques, archéologiques et historiques dans le Sud-Ouest de la France". He cites the efforts of the Union Historique et Archéologique du Sud-Ouest (organized 1907) as representing considerable advance in scientific work in this region: the Union publishes a quarterly *Bulletin* especially in the interests of regional bibliography.

The archives of the Grimaldi family (of Genoese origin and established in Provence in the sixteenth century) acquired recently by the Prince of Monaco, have now been made accessible to students through the publication of an inventory prepared by M. G. Lavergne (Paris, Picard, 1911, pp. xii, 323). There are many documents of general interest. The Grimaldi family occupies a prominent place in a book announced by Fontemoing with the title *Les Cavallerone en France et les Cavallerone de Caravanna, 1440-1911*, by Théophile Cavallerone.

Noteworthy articles in periodicals: Gustave Fagniez, *Fanfan et Riche-lieu*, II. (*Revue Historique*, July-August); L. de Preaudeau, *Fénelon Révolutionnaire* (*Revue des Études Historiques*, March-April); J. Loutchisky, *Les Classes Paysannes en France au XVIII^e Siècle*, I, II. (*Revue d'Histoire Moderne et Contemporaine*, May-June, July-August); W. Hasbach, *Ist Montesquieu ein Anhänger der Lehre von der Volkssouveränität* (*Zeitschrift für Sozialwissenschaft*, 1911, 1); L. Abensour, *Le Féminisme sous la Monarchie de Juillet*, II. (*Revue d'Histoire Moderne et Contemporaine*, May-June); Chr. Pfister, *Les Régions de la France*, VIII. *La Lorraine, le Barrois et les Trois-Évêchés* (*Revue de Synthèse Historique*, April).

ITALY, SPAIN, AND PORTUGAL

The *Annuario del R. Archivio di Stato in Milano per l'anno 1911* (Milan, Palazzo del Senato, pp. 147) is the first important Italian pub-

lication of the kind, and may be taken as witnessing to a growing activity in this field and showing the substantial results of the work of the new Scuola di Paleografia.

The whole work of the Società Storica Subalpina during its first eleven years of existence, 1899-1910, comprehending the sixty volumes of its *Biblioteca*, is described and reviewed at length in some thirty pages of the *Rivista Storica Italiana*, fourth series, III. 2, by Professor L. C. Bollea.

In volume II. of *Studi e Memorie per la Storia dell' Università di Bologna* (Bologna, 1911, pp. 229) the chief contents are a long article by Professor Giovanni Martinotti on the teaching of anatomy in Bologna before the nineteenth century, and another by the same author on the relation of Archbishop Prospero Lambertini, afterward Pope Benedict XIV., to that study.

An interesting addition to the monographic material for the relations between State and Church in the later Middle Ages is Oscar Wilhelm Canz's *Philipp Fontana Erzbischof von Ravenna: Ein Staatsmann des XIII. Jahrhunderts* (Leipzig, Quelle und Meyer, 1911, pp. xii, 103). Fontana was one of the chief aids of the papacy in the struggle with the imperial authority in Upper Italy; this study covers the period 1240-1270.

Dr. Karl Frey's new critical edition of Vasari's *Vite de' più eccellenti Pittori, Scultori e Architettori* (Munich, Georg Müller) begins with the publication of the first of seven or eight volumes (pp. xxiv, 914), covering only the artists from Cimabue to the Pisani, and presenting in introductions, notes, and appendixes an extraordinary variety of explanatory and illustrative matter, especially abundant in respect to the discoveries of the last twenty years in the history of Italian art. Meanwhile the Medici Society of London inaugurates its own commemoration of Vasari's quattrocentenary by bringing out the first of a luxurious series of ten volumes containing the *Lives* in a new English translation by Mr. Gaston de Vere, elaborately edited and annotated by Messrs. Edward Hutton and F. Mason Perkins.

The librarian of the Vatican Library, Mgr. Franz Ehrle, S. J., has followed his production of Du Pérac's Map of Rome, A. D. 1577 (XV. 133 of this journal) with a second issue in the same series, *Roma al Tempo di Giulio III.: La Pianta di Roma di Leonardo Bufalini del 1551, riprodotta dall' Esemplare esistente nella Biblioteca Vaticana* (Rome, Danesi, 1911). The reproduction is of great value and the text, a masterpiece of topographical learning and acumen, covers the life and works of Bufalini and the stage reached in his time by the art of engraving and the print-trade, as well as the needful comment upon the map itself. The series, *Le Pianta Maggiori di Roma dei Secoli XVI e XVII*, will be continued with phototypes of seventeenth-century maps, edited in the same elaborate manner.

M. Jacques Rambaud's doctoral thesis *Naples sous Joseph Bonaparte, 1806-1808* (Paris, Plon-Nourrit, pp. li, 572), is based on thorough researches in the archives of Paris, London, Naples, Palermo, and Rome. He has also separately published through the same house a volume of *Lettres Inédites ou Éparses de Joseph Bonaparte à Naples, 1806-1808*.

Mr. George Macaulay Trevelyan's *Garibaldi and the Making of Italy*, continuing his previous works in the same field, will be soon published by Messrs. Longmans.

The Italian semi-centennial celebrations have resulted in the publication by the Chamber of Deputies of a collection of documents, *Le Assemblée del Risorgimento*, in fifteen volumes, illustrating the history of the various representative assemblies of the period indicated, at Rome (four volumes), in Sicily (four), in Tuscany (three), at Naples (two), and elsewhere, with useful historical introductions.

The Conde de las Navas, librarian of the King of Spain, has begun the publication of an extensive *Catálogo de la Real Biblioteca* (Madrid, Ducasal). Two quarto volumes have been issued. The first is devoted to a history of the royal libraries of Spain.

Under the editorship of Don Juan Sanchez, it is announced, a journal devoted to monographs and articles in Spanish and Spanish-American history will soon begin to be published in Madrid (Suarez), bearing the title *Archivo de Investigaciones Historicas (España y América Española)*.

P. Boissonade contributes to the *Revue de Synthèse Historique* for April, 1911, an important review of "Les Études relatives à l'Histoire Économique de l'Espagne et leurs Résultats". It covers the Visigothic and Mussulman periods.

Professor John M. Burnam of the University of Cincinnati intends to publish, in fifteen fascicules (Paris, Champion), *Paleographia Iberica*, containing facsimiles of manuscripts and documents of Spain and Portugal, ranging from the eighth to the fifteenth century.

A recent study of much general value for workers in Spanish material is Vlastimil Kybal's *Über die Bedeutung des General-Archivs zu Simancas für die neuere Geschichte Oesterreichs* (Wien, Gesellschaft für Neuere Geschichte Oesterreichs, 1910, pp. 65). The author goes thoroughly into the conditions of the use of the Simancas archives since their opening in 1844 and into the nature and value of the collections. As an appendix he prints the parts relating to Germany of the inventories of 1630 and 1819.

The first number of *Revista del Centro de Estudios Históricos de Granada y su Reino*, issued in the beginning of the present year, has come to hand. The title of the new periodical indicates in a general way its aims. The principal article in this issue is "Entrada de los Reyes Católicos en Granada al Tiempo de su Rendición", by Señor Mariano Gaspar Remiro, director of the *Centro*. Señor Remiro also

discourses upon the inscriptions of the Alhambra; Señor Nicolás Pérez Serrano contributes a paper entitled "Alzamiento de Alahmar en Arjona".

Noteworthy articles in periodicals: Weil, *Marie Caroline Reine de Naples: Lettres Inédites au Marquis de Gallo* (Revue Historique de la Révolution Française, II. 1); W. Friedensburg, *Die Einigung Italiens* (Deutsche Rundschau, March); Ersilio Michel, *Giuseppe Mazzini a Firenze e a Napoli dal Luglio al Dicembre 1860* (Nuova Antologia, April 1); G. C. Barbavara, *Le Relazioni di Cavour con Garibaldi nel Biennio 1860-1861* (Piemonte, II. 3-4).

GERMANY AND AUSTRIA

R. Oldenbourg, Munich, has published as the concluding section of Band 18 of the Bavarian Historical Commission's *Geschichte der Wissenschaften in Deutschland*, the third and final section of Professor Ernst Landberg's *Geschichte der Deutschen Rechtswissenschaft*, consisting of a volume of text (pp. xvi, 1008) and a volume of notes (pp. viii, 414).

Band VII. of Hiersemann's *Handbücher* is entitled *Deutschlands Mittelalterliche Kunstdenkmäler als Geschichtsquelle*, by Oscar Daering (Leipzig, Karl W. Hiersemann, pp. xv, 414, with 119 illustrations). The author comes from the Carolingian period to 1500 and deals with all varieties of artistic work. The same publisher has issued *Deutsche und Niederländische Holzbildwerke in Berliner Privatbesitz*, by Dr. M. J. Friedlander, director of the Kaiser Friedrich Museum, the publication being under the auspices of the Kunstgeschichtliche Gesellschaft of Berlin.

Heft 24 of Brandenburg, Seeliger, and Wilcken's *Leipziger Abhandlungen* entitled *Zur Geschichte des Reichsmatrikelwesens im ausgehenden Mittelalter (1422-1521)*, by Johannes Sieber, is a doctoral dissertation at the University of Leipzig. The author does not present his work as a complete study of the subject, and acknowledges that as the publication of the *Reichstagsakten* has reached only the year 1438 such a study is not yet possible; he has proceeded on the belief however that the older material is sufficient for a preliminary study and that later detail will not modify the conclusions essentially.

Of considerable interest as a survey of the state of the question is the recent rectoral address at Tübingen of Anton Buhler, *Wald und Jagd zu Anfang des 16. Jahrhunderts und die Entstehung des Bauernkriegs* (Tübingen, J. C. B. Mohr, 1911, pp. 28). He concludes that while the forest claims of the peasants were not always legally sound, their complaints of injury through the game conditions were thoroughly justified.

Karl W. Hiersemann, Leipzig, announces the publication of *Hans Burgkmair des Jüngeren Turnierbuch von 1529*, in imperial folio, comprising sixteen hand-colored plates with explanatory text, edited by Dr.

Heinrich Pallmain. These plates had their origin in earlier wood-engravings of actual tournaments, executed by Albrecht Dürer and Hans Burgkmair the Elder by direction of the Emperor Maximilian, and the present facsimile reproductions will be of much value for those interested in the knightly equipment of the period. The book is published at 200 marks.

Georg Witzel continues in the *Westdeutsche Zeitschrift* (XXIX. 4) his studies in the economic aspects of the emigration from the Netherlands into Germany in the sixteenth century, dealing particularly with the foundation thus laid for silk industries in Frankfort during the period 1562-1614.

Mr. E. F. Henderson contributes to the *Heroes of the Nations* series (Putnams) a book on Blücher.

Professor Friedrich Meinecke's *Weltbürgerthum und Nationalstaat: Studien zur Geschichte der Deutschen Nationalstaates*, is announced in a second revised edition by Oldenbourg (Munich, pp. viii, 515). The work deals particularly with the development of the idea of German nationality through the eighteenth and nineteenth centuries and with the growth of the idea and fact of Prussian leadership.

Dr. Kurt Dorien, in his *Der Bericht des Herzogs Ernst II. von Koburg über den Frankfurter Fürstentag 1863: Ein Beitrag zur Kritik seiner Memoiren* [Historische Bibliothek von der *Historischen Zeitschrift*, Band 21] (Munich, Oldenbourg, 1910, pp. xiii, 170), chooses the particular episode of the Fürstentag of 1863 as a means of testing the *Memoirs of Duke Ernest II.*, pursues the test somewhat ponderously and diffusely, and concludes, as one might expect, that memoirs springing from so warm a temperament are not an impeccable source of historical knowledge.

The J. B. Metzlersche Buchhandlung, Stuttgart, has published *Bismarck und die Hohenzollernkandidatur in Spanien*, by Ernst Marx. The study is directed especially to the problem of Bismarck's motives in forwarding the candidacy.

The recent series of articles by M. Georges Goyau in the *Revue des Deux Mondes* has now made its appearance in book form under the title *Bismarck et l'Église: Le Kulturkampf, 1870-1878* (Perrin, two volumes).

Dr. R. Charnatz's little *Oesterreichs Innere Geschichte von 1848 bis 1907* (Leipzig, Teubner, 1908; see this journal, XIV. 586, XV. 391) has advanced to a second edition, published with but slight changes.

Among the few new books on Bohemian history a prominent place will be taken by Professor Louis Leger's *La Renaissance Tchèque au XIX^e Siècle* (Paris, F. Alcan, 1911, pp. xv, 273).

A recent issue of the *Leipziger Historische Abhandlungen* (Brandenburg, Seeliger, and Wilcken) is *Das Territorium der Reichsstadt Mühl-*

hausen i. Th.: *Forschungen zur Erwerbung, Verwaltung und Verfassung der Mühlhauser Dörfer*, by Dr. Raimund Steinert (Leipzig, Quelle und Meyer, 1910, pp. xv, 98). This very promising dissertation is based mainly on the Mühlhausen archives, and aims to trace in detail the gathering together of the Mühlhausen lands, and to describe the conditions of organization and government under which the rural subjects of the imperial city lived throughout its free career. A study of this kind executed with the care and thoroughness that marks this volume cannot fail to be an important addition to our exact knowledge of the old Germany.

Noteworthy articles in periodicals: Fritz Hartung, *Die Wahlkapitulationen der Deutschen Kaiser und Könige* (Historische Zeitschrift, CVII. 3); O. Rachel, *Die Handelsverfassung der Norddeutschen Städte vom 15. bis 18. Jahrhundert* (Jahrbücher für Gesetzgebung, 1910, 3); A. C. McGiffert, *Martin Luther and his Work*, VIII., IX., X. (Century, July, August, September); R. von Schrötter, *Die Ergänzung des Preussischen Heeres unter dem ersten Könige* (Forschungen zur Brandenburgisch-Preussischen Geschichte, XXIII. 2); M. Hamisch, *Das Oesterreichische Tabakmonopol im 18. Jahrhundert* (Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, VIII. 2-3); H. Van Houtte, *Contribution à l'Histoire Commerciale des États de l'Empereur Joseph II.* (Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, VIII. 2-3); H. Oncken, *Deutschland und Oesterreich, 1871-1911* (Deutsche Rundschau, April); O. Schneider, *Bismarck und die Preussisch-Deutsche Freihandelspolitik* (Jahrbücher für Gesetzgebung, 1910, 3); G. Goyau, *Bismarck et l'Épiscopat*, V. (Revue des Deux Mondes, May 7); C. Varrentrapp, *Briefe an Ranke von einigen seiner Schüler: Sybel, Carlson, Herrmann, Pauli und Noorden* (Historische Zeitschrift, CVII. 1).

NETHERLANDS AND BELGIUM

The Historisch Genootschap te Utrecht has published in two volumes of its *Werken* (third series, no. 27, ed. J. A. Feith and H. Brugmans) *De Kroniek van Abel Eppens tho Equart*, an important new source for the history of Groningen and East Friesland, especially for the period 1580-1589; and will shortly issue a volume of church visitations of the same century, *Kerkvisitaties in het Sticht Utrecht in 1566 en volgende Jaren*, ed. S. Muller Fz.

The Dutch Committee of Advice on National Historical Publications has entrusted to Dr. Gisbert Brom, director of the Dutch Historical Institute in Rome, the preparation of a collection of documents in Roman archives illustrating the history of Reformation and Counter-Reformation in the Netherlands, 1517-1602.

Noteworthy articles in periodicals: V. Pabst, *Die äussere Politik der Grafschaft Flandern unter Ferrand von Portugal, 1212-1233* (Bulletin de la Commission Royale [Belge] d'Histoire, LXXX. 2).

NORTHERN AND EASTERN EUROPE

The Taylorian Curators at Oxford have elected Professor C. Raymond Beazley of Birmingham to give the Ilchester Lectures on Russian History in 1912.

Volume IV. of the Cornell University Library's *Islandica*, prepared like the preceding annual issues by Mr. Halldór Hermannsson (Ithaca, 1911, pp. 83), is devoted to the ancient laws of Norway and Iceland. It is not, like its predecessors, confined to books already in the Fiske Library, but presents the general bibliography of the subject as completely as possible, and with sparing but excellent annotations.

MM. Perrin, of Paris, have published *L'Europe et la Jeune Turquie: Les Aspects Nouveaux de la Question d'Orient*, by René Pinon, author of various other works in this field.

THE FAR EAST AND INDIA

Professor K. Asakawa's Notes on Village Government in Japan after 1600, in volumes XXX. and XXXI. of the *Journal of the American Oriental Society*, give more complete institutional information of this side of Japanese feudalism than can be found elsewhere in English.

Hawking L. Yen's *Survey of the Constitutional Development in China*, which appears among the *Columbia University Studies in History, Economics, and Public Law* (Longmans), is the work of an Oriental who maintains that Western civilization may learn something to its advantage from the political institutions of China.

De Vestiging van de Nederlanders aan de Kust van Koromandel, doctoral dissertation of Mr. Heert Terpstra (Groningen, De Waal, 1911, pp. 212), confines itself to the period of foundation, from the voyage of the *Delft*, 1605, to the end of 1610. The importance of the Coromandel coast to the Dutch lay in the opportunity for carrying trade by exchanging its cottons against the spices of the Moluccas. With careful archival research and excellent knowledge of these cloths and of commercial and economic conditions in the East Indies, Mr. Terpstra tells with sobriety an interesting and not unimportant tale.

AMERICA

GENERAL ITEMS

Mr. W. G. Leland's researches in Paris archives on behalf of the Carnegie Institution of Washington are drawing to a conclusion and he will return to the United States in November. The summer not sufficing for the inspection of the Foreign Office and Admiralty papers from 1837 to 1860, undertaken by Professor Charles E. Fryer in order to complete the volume prepared by Dr. Charles O. Paullin and Professor Frederic L. Paxson, its completion will be carried through by Mr. David W. Parker, who goes to London for that purpose in October. Meantime he has finished at Halifax and Fredericton, as well as at Ottawa, the prepa-

ration, so far as those archives are concerned, of his *Guide to the Materials for United States History in Canadian Archives*. Examination of the archives of Toronto is necessarily postponed by local conditions. It has been decided that Mr. Roscoe R. Hill's calendar of the materials for United States history in the section of the Archives of the Indies known as the "Papeles procedentes de la Isla de Cuba" shall be extended a year longer than was originally contemplated, being brought to a termination in the spring of 1913 instead of 1912, by reason of the unexpected abundance of material found. Much of the endeavor of the Department of Historical Research in the year 1912 will be devoted to preparations for the making of an atlas of the historical geography of the United States.

The Division of Manuscripts in the Library of Congress has recently acquired the public and private papers, 1810-1876, of the Emperor Augustin Yturbe of Mexico; a miscellaneous collection of manuscripts relating to West Florida affairs and Andrew Jackson's connection therewith, 1799-1827; the papers of Gideon Welles; and those of J. L. M. Curry. *The Calendar of Van Buren Papers* has been issued.

A History of the United States for Schools, with maps and illustrations, by A. C. McLaughlin and C. H. Van Tyne, has been published by Appleton.

The May number of the *Magazine of History* contains a statement by Mr. Victor H. Paltsits concerning the classic nomenclature of western New York, which shifts the responsibility for that nomenclature from the shoulders of Simeon DeWitt to those of Governor George Clinton, Secretary Lewis A. Scott, Treasurer Gerard Bancker, and Auditor Peter T. Curtenius. The *Magazine* also prints several letters of interest, including one from James McHenry to Governor Hawley (January 2, 1781), one from Henry Knox to Samuel Osgood (July 9, 1782) concerning Baron Steuben, and one from Washington to John Gill (November 12, 1799) relative to a land transaction. There is also a portion of a letter from James Madison to Alexander Hamilton (November 27, 1797), which sounds like the preliminaries of a duel. It is to be regretted that the *Magazine* could not print the letter entire since it brings into view an episode in the personal history of the two men that is not generally known. The entire letter, nevertheless, leaves the episode still in some obscurity.

Mr. Edward Myers is publishing in the *Magazine of American History*, a small periodical issued at Port Chester, New York, some brief sketches of the work of the Society for the Propagation of the Gospel in Foreign Parts.

Dr. B. C. Steiner continues his annalistic survey of Maryland history by an installment in the *Johns Hopkins University Studies* (XXIX. 1) entitled *Maryland under the Commonwealth: a Chronicle of the Years 1649-1658* (pp. 178). No. 2 of the volume is *The Dutch Republic and*

the American Revolution, by Dr. Friedrich Edler of the German embassy in Washington. A monograph by Professor W. T. Laprade on the History of Slavery in the District of Columbia is announced to appear in the same series.

Students of the history of American educational management will be glad to have *A History of Public Permanent Common School Funds in the United States, 1795-1905* (New York, Holt, 1911, pp. 493), by Mr. Fletcher H. Swift, professor of education in the University of Minnesota.

Mr. Otto Heller contributes to the January issue of the *German American Annals* several of Charles Sealsfield's descriptions of American life, which appeared in German periodicals in 1828, and Mr. Preston A. Barba discusses the sources of these descriptions. In the same number of the *Annals* appears an installment of the "Journal of Du Roi the Elder", lieutenant and adjutant in the service of the Duke of Brunswick, 1776-1777, translated from the original German manuscript in the Library of Congress by Charlotte S. J. Epping.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

No. 81 of the *Publications* of the Hispanic Society of America is an *Atlas of Portolan Charts, printed in facsimile of Manuscript in the British Museum*, edited by Dr. E. L. Stevenson, who writes an introduction and gives a list of the charts.

Professor Ernst Daenell, well known in various American universities through his lecture courses of the past year, has just published *Die Spanier in Nordamerika von 1513 bis 1824*, as Band 22 of the *Historische Zeitschrift's Historische Bibliothek* (Munich, R. Oldenbourg, pp. xv, 247).

Volume I. of *An Historical Digest of the Provincial Press*, compiled and edited by L. H. Weeks and E. M. Bacon, the plan of which was mentioned in a previous number of this journal, has now appeared (Boston, Society for Americana).

Mr. Clarence M. Burton has edited, and the Society of Colonial Wars of the State of Michigan has published (Detroit, pp. 55, with three maps), the *Journal of J. L. [John Lees, sr.] of Quebec, Merchant*, being Brit. Mus. Add. MS. 28,605. It is a journal of travel from London in 1768 to Boston, New York, Albany, Fort Stanwix, Fort Oswego, Niagara, Erie, Detroit, and Montreal, and is an interesting narrative, very well annotated.

The Rev. Madison C. Peters has written a sketch bearing the title *Haym Salomon, the Financier of the Revolution: an unwritten Chapter in American History* (Baker and Taylor Company, pp. 49). The sketch is produced in connection with the movement to erect a monument to Salomon. As touching this movement attention may be called to a note entitled "False Heroes", by Mr. Worthington C. Ford, in the *Nation* for June 29.

The Treasury Department's Committee on Auditing has issued a report on *The Accounting System of the United States from 1789 to 1910* (Washington, 1911, pp. 116), embracing some 20 pages of historical data followed by a reprint of laws relating to the auditing offices.

M. Albert Mathiez has published in separate form the *Lettres de Volney à La Révellière-Lépeaux, 1795-1798*, respecting America.

Rafinesque: a Sketch of his Life, with Bibliography (pp. 239), by T. J. Fitzpatrick, M. S., has been published at Des Moines by the Historical Department of Iowa. Constantine Samuel Rafinesque, naturalist, was born in a suburb of Constantinople in 1783, came to the United States first in 1802, and took up his residence permanently in this country in 1815. From 1819 to 1825 he lectured at Transylvania University in Lexington, Kentucky; afterward he made his residence principally in Philadelphia, where he died in 1840. He made numerous scientific excursions in different parts of the United States, particularly in the West, and wrote many books and articles on subjects of natural history. The author of this sketch gathers the principal facts in the life of Rafinesque and includes several appreciations (and some criticisms) from fellow naturalists. The sketch occupies 62 pages of the volume, the bibliography 155, including numerous title-pages in facsimile, and a "Bibliotheca Rafinesque" covers twenty pages more.

Mr. A. C. Quisenberry's *General Zachary Taylor and the Mexican War*, which appeared in the May number of the *Register of the Kentucky State Historical Society*, has been issued separately by the society (pp. 72), with an introduction by the editor of the *Register*, Mrs. Jennie C. Morton.

A volume of *Selections from the Letters, Speeches, and State Papers of Abraham Lincoln*, edited by Miss Ida M. Tarbell, has been published by Ginn and Company.

The Photographic History of the Civil War, which the Review of Reviews Company some time ago projected, has now appeared.

The J. P. Bell Company of Lynchburg have brought out *Personal Reminiscences of the War of 1861-1865*, by W. H. Morgan.

The History of the 3d, 7th, 8th, and 12th Kentucky, C. S. A., by Henry George, has been published in Louisville by C. T. Dearing. The author was a member of the Seventh Kentucky regiment.

A. C. McClurg and Company announce for publication this autumn a volume of recollections by Senator Shelby M. Cullom to be entitled *Fifty Years of Public Service*.

B. W. Huebsch will bring out in the autumn the autobiography of Tom L. Johnson. A biography, by Carl Lorenz, has already appeared from the press of A. S. Barnes and Company.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

Volume XXX. of the *New Hampshire State Papers*, edited by Mr. Albert S. Batchellor (Manchester, pp. xvii, 658) is devoted to miscellaneous Revolutionary documents, including the Association test, the pension rolls, and other important papers.

After twenty-five years of labor, chiefly conducted by the late Messrs. John Noble and William P. Upham, the early files of the courts of last resort in Massachusetts, extending from 1629 to 1800, have been systematically arranged and preserved for historical examination. The collection now fills 1293 volumes of unusual size and contains the records of about 175,000 cases, including about a million papers, illustrating almost every aspect of the history of Massachusetts.

The city registrar of Boston has published as volume XXXIX. of the city's record series the *Minutes of Selectmen's Meetings* from September 1, 1818, to April 2, 1822.

The Essex Institute has recently published the third volume of the *Diary of William Bcuttley, D.D.*, pastor of the East Church of Salem: it traverses the years 1803-1810.

The Connecticut Historical Society has recently published in its *Collections* the second volume of the Law papers, largely made up of documents respecting the defense of Louisburg, the proposed expedition against Crown Point, and the frontier war against the Indians.

"An Act relating to Public Records and Historical Documents", which was passed by the general assembly of New York in June, creates the office of supervisor of public records and places both that office and the existing office of state historian under the Education Department, the latter office being altered in title to "Division of History". The clause defining the functions of the Division of History is phrased with curious limitations, stating its duties to be the preparation for publication of "all official records, memoranda, and data relative to the colonial wars, war of the revolution, war of eighteen hundred and twelve, Mexican war and war of the rebellion, together with all official records, memoranda, and statistics affecting the relations between this commonwealth and foreign powers, between this state and other states, and between this state and the United States". *Voilà tout*. The governor has appointed Mr. Thomas C. Quinn of New York City supervisor of public records.

The latest historical additions to the *Columbia University Studies in History, Economics, and Public Law* are *Political History of New York State during the Period of the Civil War*, by Mr. S. D. Brummer (New York, Longmans), and Mr. Edgar J. Fisher's *New Jersey as a Royal Province*, which treats of the political history of the province and of its part in the colonial wars and in the preliminaries of the Revolution.

The opening pages of the April issue of the *Pennsylvania Magazine of History and Biography* are devoted to the record of the presentation of the portrait of the late Henry Charles Lea to the Historical Society of Pennsylvania, including remarks by William Brooke Rawle, Hampton L. Carson, and Samuel W. Pennypacker. Mr. Edward R. Turner is the author of a valuable paper on "Slavery in Colonial Pennsylvania", while Mr. William Nelson writes an interesting sketch of the beginnings of the iron industry in Trenton, New Jersey. The principal documentary materials are the continuation of the orderly book of General Muhlenberg; the records of St. Paul's Evangelical Lutheran Congregation, Lehigh County, Pennsylvania, 1750-1764; William Penn's account with Samuel Jennings, receiver-general, 1690-1693; and the town dockets of Chesterfield township, Burlington County, New Jersey, 1692-1712, printed from the original in the Library of Congress. In the "Notes and Queries" department appear several eighteenth-century letters that are of interest.

Documentary publications in the July issue of the same magazine are: letters of James Logan to Thomas Penn and Richard Peters; extracts from the diary of Joseph Heatly Dulles (1814), contributed by Charles W. Dulles; selections from the diary of Christiana Leach, of Kingsessing, 1765-1796, contributed by Robert H. Hinckley; an installment of the orderly book of Colonel Henry Bicker, of the second Pennsylvania Continental line, edited by Dr. John W. Jordan; a letter from Colonel William Thompson, January 25, 1775; and one from General John Armstrong, December 22, 1777. Contributed articles are: "A Philadelphia Schoolmaster of the Eighteenth Century" (David James Dove), by Joseph Jackson; and "Who was the Mother of Franklin's Son", by Charles Henry Hart.

We have received the *Acts and Proceedings* of the sixth annual meeting of the Pennsylvania Federation of Historical Societies held at Harrisburg on January 5. Among the proceedings is a valuable report on the preservation of manuscript records, brought in by a committee composed of Professor Herman V. Ames, Mr. Albert Cook Myers, and Mr. H. Frank Eshleman. The address of the president, Mr. Gilbert Cope, points out the lines of effort of the federation. The conspectus of the work of the component societies continues to be a valuable feature of the *Acts and Proceedings* of the federation as published.

Mr. P. Lee Phillips, chief of the Division of Maps of the Library of Congress, has brought out through Lowdermilk a bibliographical account and facsimile reproduction of the rare map of Virginia and Maryland by Augustine Herrman, first lord of Bohemia Manor, Maryland.

The *Bulletin* of the Virginia State Library for January, 1911, comprises principally "A List of the Official Publications of the Confederate States Government in the Virginia State Library and the library of the Confederate Memorial Literary Society". The items number 659

and include titles of bills, committee reports, resolutions, and other printed documents of a sort not included in Dr. D. S. Freeman's *Calendar of Confederate Papers*. Much also of this material has been brought to light since Mr. Hugh A. Morrison published his *Bibliography of Official Publications of the Confederate States of America*. The *Bulletin* prints also four reports of the superintendent of public printing of the Confederacy belonging to the years 1863 and 1864.

Appended to the *Seventh Annual Report* (1909-1910) of the Library Board of the Virginia State Library is a *Record of Virginia Copyright Entries, 1790-1844*, with an introduction by J. H. Whitty. These entries were copied by Mr. Whitty from loose title-pages which were formerly in the possession of Judge Robert W. Hughes. Another appendix to the *Report* is a monograph of forty-seven pages, made up largely of documentary records, on the seals of Virginia.

The *Virginia Magazine of History and Biography* prints in the July issue a long letter, dated February 10, 1756, from Rev. James Maury to Philip Ludwell on the defence of the frontiers of Virginia. Other items of interest in this number are: the instructions to Lord Culpepper, November 7, 1682, from the Randolph manuscript; a letter from Thomas Ludwell to Lord Berkeley of Stratton relative to conditions in Virginia; some correspondence between Governor Berkeley and Lord Arlington; a letter from Governor Spotswood to the governor of North Carolina (1712) relative to the Indians; and an "Examination of Indians" (1813).

The July number of the *William and Mary College Quarterly Historical Magazine* contains a letter of George Washington to Colonel William Washington, September 21, 1794, a letter of Madison to Thomas W. Gilmer in 1830, on education, one of Clay to the same gentleman, 1836, on distribution of the surplus, and one of Calhoun to the same, 1843, on the political position of Virginia. A list of Virginia pensioners of 1782 is also presented.

The *John P. Branch Historical Papers*, volume III., no. 3 (issued in June) comprises principally a group of letters of Thomas Ritchie, ranging in date from 1813 to 1844, although few of them antedate 1830. A number of the letters are to William C. Rives and relate mainly to politics, several are to Archibald Ritchie, a brother, two are to Martin Van Buren, one to James Madison, and one to Benjamin F. Butler. In addition to the letters there is an address, eight pages in extent, to the Democrats of Virginia, October, 1840, and also an editorial by Ritchie, which appeared in the *Richmond Enquirer*, August 12, 1842, replying to criticisms of his attitude toward John C. Calhoun. A letter of C. W. Gooch to Van Buren (1835) relative to Ritchie possesses considerable interest. This issue of the *Papers* contains also a sketch of William B. Giles, by George M. Betty.

The article of chief interest in the June issue of the *Records of the American Catholic Historical Society* is "Catholics in Colonial Virginia", by Martin I. J. Griffin.

A *Biographical Sketch of Hon. Charles Fenton Mercer, 1778-1858* (pp. 95), by Professor James Mercer Garnett, has been privately printed at Richmond (Whittet and Shepperson). Mercer was for a time a member of the Virginia House of Delegates, and from 1817 to 1840 a member of Congress. During his service in Congress and afterward he was active in opposition to the slave trade. The author includes in his biography an autobiographical sketch of Mercer, twenty pages in extent, some of his addresses, and considerable of his correspondence. The correspondence includes letters to and from Bishop Hobart of New York, pertaining principally to the earlier part of Mercer's career, and some letters written from Europe in the later years of his life.

In accordance with an arrangement which we have previously mentioned as likely to take place, the Society for the Preservation of Virginia Antiquities has come into possession of the house of Chief Justice Marshall in Richmond and will preserve it as a memorial and a museum of objects connected with his life.

The *Third Biennial Report* of the Department of Archives and History of the State of West Virginia, prepared by Virgil A. Lewis, state historian and archivist, has appeared. Embodied in the *Report* is a classified list of works relating to West Virginia, which are on the department's shelves. Accompanying the *Report* is a variety of documentary material, together with narrative and explanatory matter, bearing the title "The Soldiery of West Virginia in the French and Indian War, Lord Dunmore's War, the Revolution, the later Indian Wars, the Whiskey Insurrection, the Second War with England, the War with Mexico, and Addenda relating to West Virginians in the Civil War" (pp. 279). Many of these pages are occupied with lists of soldiers, pensioners, etc. Although most of this material has been printed elsewhere the assembling of it in such a volume is a useful labor.

A region having marked individuality is treated by Mr. Alfred Moore Waddell in *A History of New Hanover County and the Lower Cape Fear Region* (Wilmington, N. C., the author), of which volume I., now published, runs from 1723 to 1800.

The contents of the *South Carolina Historical and Genealogical Magazine* for July are for the most part continuations. Mr. Henry A. M. Smith writes a history of the Sewee barony, being the fifth of his papers on the baronies of South Carolina; J. F. Grimké's "Journal of the Campaign to the Southward, May 9 to July 14, 1778," covers the events of June; and the documentary contributions of Miss Webber and Mr. Salley are continued. This number of the *Magazine* includes also a statement of Dr. Robert Lebby concerning "The First Shot on Fort Sumter". Dr. Lebby was a practising physician on James's

Island at the time and writes from personal recollection, besides offering other evidence.

The minutes of the commissioners of the Navy Board of South Carolina, October 9, 1776, to March 23, 1780, with some other documents respecting the South Carolina navy, came somehow into the possession of the state of New York early in the nineteenth century. Efforts of South Carolina to recover them just before the Albany fire proved unavailing. They have now however been restored to the Historical Commission of South Carolina, though with some serious damage from the fire, and will before long be printed by that commission.

Mr. Peter J. Hamilton has brought together his recent studies in the early history of Mobile, made in connection with the celebration in May, 1911, of the bicentenary of the founding of the city, and has published them in a pamphlet of 104 pages with the title *The Founding of Mobile, 1702-1718* (Mobile, Commercial Printing Company). At the end of the volume is a map showing the relation of the French town to the modern city. The author states that these studies are based upon manuscript and early sources and are in large measure independent of and supplementary to his *Colonial Mobile*.

In addition to the anticipatory notice of the contents of volume XI. of the *Publications* of the Mississippi Historical Society mention may be made of the following papers: "Evolution of Wilkinson County", by J. H. Jones; "Antebellum Times in Monroe County", by E. F. Puckett; and "Beginning of a new Period in the Political History of Mississippi", by Professor G. H. Brunson.

A reprint (in English only) of the *Acts passed by the Twenty-Seventh Legislature of the State of Louisiana in extra Session at Opelousas, December, 1862, and January, 1863*, originally published at Natchitoches in 1864, has been brought out in New Orleans by J. G. Hauser.

The Texas Library and Historical Commission, constituted under act of March 19, 1909, presents now its *First Biennial Report* (Austin, 1911, pp. 44, 337). The librarian reports the acquisition of the diary of Judge Anderson Hutchinson during his captivity in Mexico, 1842-1843, of a body of letters of Albert T. Burnley, loan commissioner of the republic from 1837 to 1840, and, most important of all, of the papers of President Mirabeau B. Lamar. Good plans respecting the publication of a series entitled *Texas Archives* are reported. As a specimen, the Secret Journals of the Senate of the Congresses of the Republic of Texas (excepting the ninth), 1836-1845, are presented in a well-edited text of 337 pages.

In the July number of this journal (p. 889) mention was made of the acquisition by the University of Texas of the papers of Colonel Anthony Butler. In the issue of the *Nation* for June 15, Professor Eugene C. Barker gives a more extended account of these papers.

The State Library of Texas has come into possession of three rare volumes of Texas laws: a translation into Spanish of 116 of the general laws of 1836-1841; a translation into German of 101 laws of 1849-1850; and a translation into German of 79 laws of 1853-1854. None of these volumes was known to any of the large law libraries of the United States.

The principal paper in the July issue of the *Quarterly of the Texas State Historical Association* is "The Aguayo Expedition into Texas and Louisiana, 1719-1722" (pp. 65), by Eleanor Claire Buckley. The work represents extensive investigation into primary as well as secondary sources. Besides the author's annotations and comments, a number of valuable notes are furnished by Professor Herbert E. Bolton. In an article on "The Jumano Indians in Texas, 1650-1771", Professor Bolton in a measure clears up from recently discovered materials the obscurity of Jumano history after the middle of the seventeenth century.

Dr. Gilbert G. Benjamin's interesting *The Germans in Texas: a Study in Immigration*, noticed by us on its appearance in articles in volume VII. of *German American Annals*, is now available as a separate book (Philadelphia, Americana Germanica Press, pp. 161).

The *Ohio Archaeological and Historical Quarterly* prints in its April-July issue a history of Logan, the Mingo chief (1710-1780), from the Draper manuscripts, and a journal of the Kendal community, contributed, with a prefatory statement, by Mr. W. P. Fox. The Kendal community was a religious community that existed from 1826 to 1829 at Kendal (now a part of Massillon), Ohio. The other papers of chief importance in this issue of the *Quarterly* are: "The Ohio River", by A. B. Hulbert; "The Cincinnati Municipal Election of 1828", by Mary Baker Furness; and "Oberlin's Part in the Slavery Conflict", by W. G. Burroughs.

The April-June issue of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* is entirely occupied with selections from the Torrence papers, this being the sixth group of those papers which the *Quarterly* has published. The letters date from 1812 to 1827 and are mainly to Thomas Sloo, jr., who was prominently connected with the Miami Exporting Company, the second United States branch bank of Cincinnati, and the Illinois-Michigan canal; they therefore illustrate commercial conditions in the West during the period.

In *Ohio Politics during the Civil War Period* (Columbia University Studies in History, Economics, and Public Law) Mr. G. H. Porter makes a careful study of Ohio's attitude toward national questions and the part which the state took in national affairs during the period.

In the *Indiana Quarterly Magazine of History* for June Professor Christopher B. Coleman offers some reflections on the development of state constitutions, and Mr. W. D. Waldrip writes of Newport, Indiana, as a station of the Underground Railroad.

The legislature of Illinois at its last session appropriated \$2500 for inspection of and reporting upon county and other local archives during the next biennial period, and \$5500 per annum for the work of procuring and preserving documentary historical materials. It has also appointed a commission to prepare plans for a building in Springfield in which, among other scientific and historical objects, the State Historical Library and perhaps the archives shall be cared for.

The July issue of the *Journal of the Illinois State Historical Society* is occupied in large measure with the society's annual reports, but there are also several brief articles. Mr. Charles M. Thompson contributes a short account of "The Monetary System of Nouvelle France"; Mr. J. F. Stewart a description of the Sac and Fox trail, with maps; Mr. J. O. Cunningham an account of the Danville and Fort Clark road; and Mr. Duane Mowry some material for the life of Senator James R. Doolittle.

Volume XXXVII. of the *Collections* of the Michigan Pioneer and Historical Society (Lansing, 1910, pp. 761) contains the territorial records of the period 1803-1815, from the Burton Library; letters on the fur-trade, 1833, by William Johnston; territorial papers of 1831-1836, correspondence of territorial governors, etc., chiefly from the Schoolcraft collection; and Perrault's relation of the travels and adventures of a merchant voyageur, 1783-1820. The society intends before long to begin the printing of a series of papers relating to the French Northwest, translated from the texts of Margry after collation with the latter's original papers in the Bibliothèque Nationale at Paris.

At its biennial session recently ended, the Wisconsin legislature not only increased the annual stipend of the Wisconsin Historical Society by \$5000 but made a special grant of \$162,000 for the erection of a new wing to the society's library building.

The Wisconsin History Commission has brought out *Wisconsin Women in the War between the States* (pp. xix, 190), by Miss Ethel Alice Hurn, an interesting account of soldiers' aid societies, hospital services, and the like, based on varied manuscript, pamphlet, and newspaper material.

Mr. Warren Upham, secretary of the Minnesota Historical Society, has in preparation a volume of Minnesota biography, one on Minnesota geographic names, and another relating to the history of the society.

The *Tenth Biennial Report* of the Historical Department of Iowa contains a list of the bound volumes of Iowa newspapers in possession of the department.

Miss Ethyl Edna Martin writes for the July number of the *Iowa Journal of History and Politics* an account of the expedition of Zebulon M. Pike to the sources of the Mississippi in 1805 and 1806. Pike's own account, published in 1810, has been largely drawn upon but several

other sources have been consulted. An analysis of the settlement of Woodbury County, Iowa, by Professor F. H. Garver, is a useful study of the movement of population westward of the Mississippi. "The Territorial Convention of 1837" comprises a group of documents bearing upon the convention taken for the most part from the *Iowa News*. Besides the proceedings of the convention appear the proceedings of various public meetings and some memorials presented to the convention. The *Journal* also reprints from the *Iowa News* the proceedings of a council with the Chippewa Indians held by Governor Henry Dodge of the original Territory of Wisconsin, in July, 1837.

In the July number of the *Missouri Historical Review* Mr. Frederick J. Teggart gives an account of the capture of St. Joseph, Michigan, by the Spaniards in 1781 and discusses the reasons for the expedition. Mr. Teggart's account is based upon original documents in the Pinart-Bancroft collection in the University of California, and his conclusions are at variance with some that have hitherto been advanced. In the same issue of the *Review* Dr. Jonas Viles discusses the population and extent of settlement in Missouri before 1804.

The third volume of the *Publications of the Arkansas Historical Association* is now in the press and will be distributed about the first of November. Among the chapters are: Constitutional Convention of 1836, Reminiscences of a Federal Prisoner in Arkansas, Legal Status of the Slave in Arkansas, Chester Ashley, and the History of Suffrage in Arkansas. Among the contributors are Judge Jacob Trieber, Judge U. M. Rose, and Joseph T. Robinson.

The Arkansas History Commission has appointed Mr. Dallas T. Herndon, a recent doctor of philosophy of the University of Chicago, its secretary. His work will correspond to that of the directors of the departments of archives and history in other states.

Among the announcements of McClurg is *Kansas in the Sixties*, by Samuel J. Crawford, "war governor".

Volume III. of *Constitutions and Conventions of Nebraska*, published by the State Historical Society, is now in press; the society also has in preparation an additional volume of *Collections*.

A commission created by act of the legislature of Nebraska has been marking the old Oregon Trail throughout its course in that state.

Volume V. of the *South Dakota Historical Collections* (Pierre, 1910 [1911], pp. 444) contains a full account of the "capital and capitol history" of South Dakota, reminiscences of Dakota campaigns by John Pattee, an account of early surveys, and several papers on the Sioux Indians.

Historia Illustrada de Nuevo Mexico (pp. 616), by Mr. B. M. Read, is published in Santa Fé, by the Compañía Impresora del Nuevo Mexicano.

The December (1910) number of the *Quarterly of the Oregon Historical Society* has but recently come to hand. With it comes the title-page for volume XI. of the *Quarterly*, "March, 1911-December, 1911". This is evidently an error for 1910. In this number appears part I. (the period of provisional government) of "The Rise and Early History of Political Parties in Oregon", a doctoral dissertation by W. C. Woodward. It is in two chapters, the first treating of the political basis as found in settlement and the second of American self-government. Part II. will treat of political organization during the period of the territorial government, and part III. of the Civil War period. The Oregon archives are used to some extent in the preparation of the work but for the most part reliance is placed on secondary sources. The *Quarterly* continues the Peter Skene Ogden journals and Professor F. G. Young's "Financial History of Oregon".

The Academy of Pacific Coast History has published the *Diary of Pedro Fages*, edited by Professor Herbert E. Bolton. The diary describes an expedition from Monterey to San Francisco Bay in 1770.

General Stephen W. Kearny and the Conquest of California, 1846-1847 (pp. 35), by Valentine Mott Porter, vice-president of the Missouri Historical Society, has been reprinted from the *Annual Publications* of the Historical Society of Southern California. The purpose of the paper, says the author, "is to try to direct attention to General Kearny's services in California, to point out some omissions, inaccuracies, and wrong conclusions in the current histories, and, for the benefit of those who regard the winning of California as a not altogether glorious chapter in American history, to hold up before them one 'Conqueror' upon whom there is no taint of the spoiler or the charlatan". A letter from General Kearny to his wife, dated December 19, 1846, describing conditions in San Diego, is printed in full, and there are portraits of Kearny, Stockton, and Frémont.

The Philippines Library at Manila, now under the conduct of Dr. James A. Robertson, has recently acquired by purchase the famous library of Filipiniana owned by Dr. T. H. Pardo de Tavera. This makes that institution's collection of Philippine books the largest in the world.

The *Report of the Work of the Archive Branch* for the year 1909 (pp. 125), an appendix to the annual report of the Canadian Minister of Agriculture, is chiefly occupied with a list of the contents of a body of (duplicate) original despatches relating to Lower and Upper Canada, from 1771 to 1840, received from the Colonial Office in London. The Archive Branch has just issued Mr. H. P. Biggar's *The Precursors of Jacques Cartier, 1497-1534, a Collection of Documents relating to the Early History of the Dominion of Canada* (pp. xxxi, 213).

The June issue of the *Annals of the American Academy of Political and Social Science* bears the secondary title "Political and Social Progress in Latin America". The papers treat largely of matters commer-

cial although some of them are of an historical character, for instance: "The Monroe Doctrine of the Fourth Pan-American Conference", by Alejandro Alvarez, and "The Social Evolution of the Argentine Republic", by Ernesto Quesada.

As volumes XXXV. and XXXVI. of his *Documentos Inéditos ó muy Raros para la Historia de México* (Mexico, Bouret, 1911, pp. 328, 340) Señor Genaro García has published, from a unique copy of the original edition (Puebla, 1824), *La Cooperacion de Mexico en la Independencia de Centro America*, by General Vicente Filisola, who in 1822 and 1823 commanded Iturbide's troops in Guatemala and San Salvador, and who afterward played a part in the war against Texas. The memoir, a bitter defense against detractors, is rich in important documents.

In a portion of the *Revista de la Biblioteca Nacional*, also separately published, Señor Carlos de Velasco publishes a series of biographical accounts, with portraits, of the thirty members of the Academy of History of Cuba, instituted by the president of the republic, as previously mentioned in these pages, by decree of August 20, 1910—*Los Académicos de Número* (Havana, Biblioteca Nacional, 1910, pp. 68).

Señor Fernando Ortiz has brought to light a manuscript *Historia de Santiago de Cuba*, written in 1823 by José María Callejas, lieutenant-colonel of artillery, and has printed it, first in the *Revista Bimestre Cubana* and now separately (Havana, 1911, pp. 136). The manuscript has undergone in the hands of Señor Ortiz some needful arrangement and much correction of errors which were probably clerical, and the orthography has been adapted to present usage. The work of Callejas essentially pertains to the quarter of a century ending in 1823, the history prior to 1798 being little more than a skeleton chronicle occupying less than 40 pages to about 80 devoted to the period after that date. Probably the chapter of greatest interest is that covering the administration of Sebastián Kindelán. The editor furnishes an introduction (18 pages) relative to the author and his work.

A Study of the Question of Boundaries between the Republics of Peru and Ecuador, a translation by H. W. Van Dyke of the work of Vicente Santamaría de Paredes, has been privately printed in Washington by Byron S. Adams.

The Argentine Ministry of Foreign Relations has published the third volume of its *Catálogo de Documentos del Archivo de Indias en Sevilla, referentes a la Historia de la República Argentina, 1778-1820* (Buenos Aires, 1911, pp. 329).

Noteworthy articles in periodicals: S. G. Morley, *The Historical Value of the Books of Chilan Balam* (American Journal of Archaeology, April-June); J. G. Rosengarten, *Moreau de Saint Mery and His French Friends in the American Philosophical Society* (Proceedings, May-June); D. D. Wallace, *Jefferson's Port in the Purchase of Louisiana* (Sewanee Re-

view, July); E. A. Cruikshank, *Harrison and Procter: the River Raisin* (Transactions of the Royal Society of Canada, third series, IV. 2); D. R. Anderson, *William B. Giles and States Rights in Virginia after the War of 1812* (South Atlantic Quarterly, July); James Ford Rhodes, *The Railroad Riots of 1877* (Scribner's, July); *id.*, *The National Republican Conventions of 1880 and 1884* (*ibid.*, September); Frederick Funston, *Philippine Experiences*, I.-IV. (*ibid.*, June-September); E. L. Bogart, *History of the State Debt of Ohio* (Journal of Political Economy, February, May).

The
American Historical Review

THE SUBSTANCE AND VISION OF HISTORY¹

THE numbers of those beings which throughout countless ages the biologist calls men because of structure, function, and outward semblance are at best small; and of these still fewer, a little minority, attained either to self-knowledge or to the power of writing any expression of it, to noting and communicating reasons for conduct. And of this little minority our only trustworthy account, very imperfect at that, covers at most the short space of ten thousand years. Within such narrow boundaries lies the field of history!

The very designation of our discipline cannot be defined: its etymology (*ιστορία*—investigation) makes definition impossible, while labored explanation merely confounds confusion. We are utterly at variance as to either its genus or differentiae. Accordingly in this generation we have largely abandoned the concept of scientific history prevalent forty years since; the history students of scientific aspiration have impatiently discarded their very name, they announce themselves as investigators of international relations, of political science, of economics, of sociology, of many disciplines, every one of which has a certain definition but nevertheless is in all its ramifications a part of the general field once known as that of history.

This process is regarded by many of us with dismay. For this there is some reason, though not much. The innovator is always contemptuous of the rock from which facts, old or new, are hewn. But new methods cannot displace old learning. Whose history does he use in his science? Where does he get his facts? These are poignant, pregnant questions. The political scientists announce a return to the method of induction in their study, but it appears to many that they play fast and loose with the determination, statement, and meaning of the facts which are their subject-matter. One

¹ Annual address of the president of the American Historical Association, delivered at Buffalo, December 27, 1911.

of the foremost among them has recently found the seat of original political sin in the division of powers attempted under our Constitution, and so explains the consequent clash as inevitable, a deplorable result, which is remedied by bribery and corruption. His millennium is the blending of executive, legislative, and judiciary. Was Robert Walpole, the "jockey of Norfolk", a saint? He certainly mixed, confused, blended all three.

Another equally famous writer on the economic side has forgotten all the race, religious, traditional, and social differences between official England and her American colonies: so he finds the American Revolution to have been solely caused by trade rivalry and contentious merchantry. As for many other economists and the so-called economic interpretation of history, their procedure has been as purely theoretic and deductive, and arid, as was for long the most of their science, which passed merrily from phase to phase of dogma, each generation rejecting the "immutable" laws of the preceding, laws that turn out to have been nothing but vague generalizations from a state of society already passing into eclipse. The history of the sociologists is oftentimes so shallow and superficial as to be amusing, a tale narrated with serene unconsciousness of later, fuller knowledge, and composed in the light of a predetermined theory. It is a perplexing joy to read the certitude with which one of them juggles with so-called Anglo-Saxon feudalism as if the period had been investigated and were thoroughly understood; another interprets the least-known periods of history in the light of class hatred.

But all these dangers are slight because so manifest; and the rather noisy inventors of systems and doctrines have had their day. There is emerging a political science (politics) which is historical, an economics which is genetic and modestly disclaims all but its own share in the social movement, a sociology (sociologies) which admits its limitations to a very small portion of the very small field of true history. On the other hand, for the adventurous, there are the great and vast expanses of prehistoric archaeology, of anthropology, of geologic palaeontology, of animal and social psychology, within which these embryo sciences disport themselves to their own contentment, and, as far as they reveal themselves, to the instruction and sometimes to the intelligent amusement of historical students, or to the delightful bewilderment of a hardworking curiosity.

So far, therefore, from feeling unease we, who still rally under the banner of history, should more hopefully and confidently than

ever devote ourselves to the abundant harvest still to be reaped in our own standing corn; we ought cheerfully, gladly to accept the idea of historicity, to modernize ourselves and keep step with—no, outstep, the rather self-important specialists now declaring their independence; the amusing independence, it must be said, of children living on a handsome allowance from their parents.

To modernize history, to get and keep in the van, we must have recourse to two expedients: the first, a self-denying ordinance, the second, a graceful surrender. We must discard into the rubbish heap a series of thought-expedients which have done veteran duty and will not even now go on the pension list or be relegated to oblivion. Those of us who have merely finite minds are helpless before those who deal with the infinite, as it were, and who assert that the entire past is historic; that no savage ever scratched an outline on a flat stone, chipped a flint, or gnawed uncooked flesh off a bone, or gorged on shell fish and slept off the cold debauch huddled promiscuous with other man-animals in a cave for warmth, without each of these amazing incidents, or a million others, leaving behind it an historic residuum for the foundations of civilization. Then there is the infinite complexity of habit, of worship, of family, of institutions, of rudimentary politics. On these topics there are libraries of inconclusive literature, suggestive enough, but as yet proving nothing.

In very truth some of us are disenchanted at the results of Darwinian, Spencerian, evolutionary thought. Things in the natural and moral world have indeed seemed as if there had been and were still under way a process of becoming, as if lower forms of life gave rise to higher in a direct, immediate, operative causation and genesis, as if man were the resultant of all his ancestry with remnant survivals in body, soul, and spirit, of biologic traits from the amoeba, through all the orders down to the anthropoid, to the pithecanthropus, and what geology styles man, the punaluan man, the polyandric man, the polygamous man, the monogamous man. These are glittering seemings and suggest truth as pyrites suggest gold. Yet at the present hour, as always, there is not one single instance known of a transition between genus and genus, species and species, organic and inorganic, vegetable and animal, not even of race to race among men. Evolution does not bridge the chasm between appearance and thought, between the organic and inorganic, nor between the form becoming, which is nature, and that complete, which is reason.

Moreover a valuable biological concept is not necessarily worth

anything in history and the system which cannot account for conscience—as Huxley admitted—either individual or collective, can have no value in mass psychology, in explaining that succession of ideals which underlie all national behavior in every sphere. The fixity of things on the side of natural science has been shown forth more rigid and obdurate than ever by the earnest efforts of the ablest men, with boundless resources for investigation, through nearly a generation and a half of human life, men bent on finding exactly the reverse. With a consciousness such as this, doubly vivid in the case of the humanities, the unsapped energy of many in our field, both historically and evolutionally minded, has led to the sectionalizing and specializing of our discipline in the hope that, like the curate's egg, parts at least may be good enough to stand the test of Darwino-Spencerian thought. Nothing is so hard on intellectual pride as the discarding of laboriously constructed dogma.

Is there a better way? Yes. Let us drop that utterly hopeless infinitude of causation, both backward and forward, which the historically omniscient, pseudo-scientific polymaths so learnedly commend to our attention. "*Quel plus sur moyen*", said Rousseau, "*de courir d'erreurs en erreurs que la fureur de savoir tout!*" The task as they state it is hopeless, and were it even capable of performance, the result, however bulky and massive, would be pointless in its results, inducing nothing but complete exhaustion. Nor can the work be performed by the division of labor, a specious device. No two men can possibly approach a small and limited enterprise in the same way without guidance from without and above.

The immense contrivances of trade, education, and government by which the world's work gets itself done to-day do not refute this proposition because somewhere in them each is a leader, contriver, ruler, with an immense salary paid for exceptional ability, and all the rest are clerks. Historical students, worthy the name, will never be clerks, never. They gallantly struggle for subordination in our bulky series books, the publication of which is a present-day phenomenon, and what happens is that the editor-in-chief becomes an almost impotent text-critic and reviewer. The affairs of the mind and of personality are conducted in history and must be, by a system inversely deductive, the contrary of that by which material affairs, scientific, commercial, or institutional, secure their prosperity.

Of course there are the vertical lines of division which endeavor to mark off cantles of the historic field for specialization, within each of which divisions an independent scholar may be sedulous and

successful. Supposing such workers to be soundly educated and properly equipped, daring but possible hypothesis, the result of their labors must be the material of the historian. He dare not disregard the studies and conclusions of specialists, their investigations and narratives, regarding the movements of human life, social, economic, governmental, military, diplomatic, linguistic, scientific, numismatic, medical, religious, literary, or whatever facet of man's activity may be turned to the examiner.

Frankly and freely accepting these conclusions as authoritative (and there is the rub of the matter), the historian may so far rid himself of the load of omniscience which would crush his own unbraced shoulders and loins, of the infinite detail which beclouds any finite mind, even the most discerning and discreet. To apprehend readily, to reason clearly, to judge correctly, the greatest intellect must have a finite case; for a mind to pass beyond its comfortable capacity and do normal work is impossible: there must be faith in others, confidence in their integrity and judgment. This is the first great step; the renunciation which, under existing conditions, we have to make, if we would clear the way for effective action; to wit: drop into the abyss of oblivion the load of personal omniscience and the distrust of the secondary authority or, in other words, of the results reached by faithful, honest specialists. Nothing is harder or more distasteful than this, because it wounds our pride.

The second act of renunciation which we have to perform does not so crush our spirit, but it is very, very hard because of the chains of habit. The terminology of history as hitherto written has become most confusing, because it is now meaningless. To illustrate, take a very recent example indeed; history is not past politics nor politics present history. We know with the reason that past religion, past social organization, past economics, past ambitions and thirst for power, past dogmas of secular belief, that all these enter into history, over and beyond politics in its narrow sense of government and administration; or, to invert the statement, we now recognize that politics, past or present, is the resultant of these forces and many others, too; in certain proportions at one time, in very different ones at others. Furthermore, whether or not there ever was one, there is not now a state-system in the sense given that term by Macaulay; there never was a balance of power, nor a tangible nationalism, nor a purely constitutional régime. There never was and is not now a Monroe doctrine, settled and fixed, either in the form of treaty, statute, axiom, or even maxim.

The moment any of these historical derelicts, once phantom

vessels driving, not like the *Flying Dutchman*, into the storm, but before it, struggles to get itself realized into law or even merely formulated, the process is promptly stopped, sometimes by diplomacy but also sometimes by war. But like the legend, the myth, and the fairy tale, this sonorous phraseology is much beloved. Indeed, these sounding words are the cherished jewels of political thought and journalism among the intelligent masses; and even the initiated, to whom I address myself, still find it easier to use the old, vague, inaccurate words than to invent and employ new and correct ones. Such invention, to be sure, is probably impossible; vocables are tenacious of life, and usage determines their sense and spelling alike, their pictographic values. But what is not impossible is that in our teaching and writing we should emphasize the new concepts which underlie the old phrases. The invention of a political stalking-horse has often been a more far-reaching achievement than the successful conduct of a great military campaign. "La politique consiste souvent dans le mensonge, et l'habilité est de pénétrer le menteur", said Voltaire. To what extent the terms of politics have been masks, in modern and contemporaneous history, we must settle, and having distinguished, abstracted, separated, examined, generalized, it is our exciting duty to put down the mask, if it were one, and show the personages behind it, in their hunt for money, glory, power, whatever impelled the "somebodies" of history and enabled the popular sentiment so to react as to give them support in their enterprises. This form of renunciation is therefore doubly difficult in that it demands untiring labor and an apostolic conviction in us if we are to secure persuasion in others, and reconquer the high place in the general esteem once held by history.

If we renounce the negative past and its study, if we renounce the fields of omniscience beyond the all-surrounding flood of human limitations, if we renounce antiquated concepts and catch-phrases, if we renounce the pride of self-sufficiency and the vanity of doubt, accepting the results of work done by other minds, we shall simply be doing what humanity has done at every stage of movement, relegating our rags to the rag bag, our rubbish to the rummage chamber, our trash to the ash heap. Dear me! yes; but how shall we recognize the rags, the rubbish, the trash? What some have so considered, proves with careful examination and at another time to be treasure. For this difficulty, as for so many others, there is a remedy, a prescription. Among the permanent gains of recent historical study is the useful doctrine known as the Unity of History. To us it is commonplace that in our ten thousand years of

historical record—more or less complete—there is no gap, no chasm, no abyss, that the continuity is complete if only we can discover it. Furthermore, from the days of Heeren onward we have known that what he proved as to Roman history, to wit: that we could not apprehend it without some clear knowledge as to Carthage, Persia, and Gaul in particular, and generally as to all the historical entities contemporaneous with it; we have known that this is equally true of history before Rome, of Greek, of Egyptian, of Assyrian, of Babylonian history, and of history since Rome, medieval, national, and contemporary imperial history. This meaning of the phrase *Unity of History*, the horizontal over against the vertical, is one which in our present state we have to emphasize until we discover by the sheer force of iteration, if in no other way, that it may transform all our activities. What is the “discard” of history? Ask, first of all, the age immediately preceding and reason backward from what you do know and may know to what you did not, but can now know. Study history transversely and horizontally, so to speak, as well as chronologically, and you will learn the relative values of contemporary forces, sufficiently at least to conclude what corresponding ones were in the past, near or remote. It is the merit of sociology to have taught us this.

Two things the public demands, the truth and the truth told entertainingly. Everything else it will sooner or later flout. Not only is there no harm in this demand, it is a righteous instinct; an artistic instinct, if you will, but righteous for all that. Sacred writers commend the beauty of holiness, that is, holiness because it is beautiful. There must therefore be a holiness of beauty. The historical writing which is not immediate, concrete, poignant, direct, proportionate, and clad in stylistic, attractive garb may have some present vogue but it is foredoomed to quick oblivion. Why therefore bother with it? Specialists know how to write their respective histories very well indeed: histories of philosophy, of religion, of economics, of various sciences, of all the multitudinous activities among men in thought and deed. In writing any such history they begin with their theme, its limits and its definition; exhaustive study takes them further and further afield, and forces them to take account of political, military, governmental, and administrative affairs.

But they begin with a very concrete and comparatively limited theme, to which the most successful writers return and return so continuously that, like the shoemaker, they earn the distinction of sticking to their last. The claim of absolute impartiality and the wide open mind is not much different from a claim to idiocy. Not

one of us wanders into the wilderness of events "um nichts zu suchen". What went ye out into the wilderness to see? Neither trifles, reeds nodding in a breeze; nor accomplishments, fine clothes and fripperies; but that which is hard indeed to find, a prophet. We go forth grimly determined to get a line on things, truth about facts and events, and the meaning of that truth. Talk of the "clean slate", "the house swept and garnished", "the fertile plot without plants": ready for the true writing, for the virtuous inhabitant, for the good seed. These are phantasies, interesting and important, but phantasies. We go forth, every one of us, with a mind furnished, ill or well furnished, but furnished, either with positive purposes or negative prejudices. And according to that equipment we seek what we want and we find what we seek.

Our greatest satirist has said that there is something fascinating about science; for a trifling investment you get such wholesale returns of conjecture. Likewise there is something fascinating about pessimism, we must admit; for a trifling investment in a mere vision, an ideal, we may indulge in such stupendous luxury of faultfinding and abuse, of self-righteousness, of vanity. The fancied better world which the pessimist contemplates by way of contrast with this is of course a chimera and, like that fabled beast, perhaps leonine to face and spitting fire, but goatish and rank in the midriff and utterly inefficacious in its caudal rear, an incongruous notion of his disordered fancy. Distinguishing the Hellenistic age of sensuous beauty, the Roman age of glory, the Christian age of faith and dogma, the modern age of enlightenment so-called, the coming age of reconstruction and socialism, it prepares us in this idea of all-government for disillusion and dissolution, to end in the golden age of Silence and Blank. This is Hartmann's religion of intelligence. To this the brilliant thinking of many among our advanced historians is directed and with considerable success. But this luxury we must likewise forego. It is the categorical imperative that history should be impartial: not the historian, he can only approach impartiality, but history must have no thesis nor be used to maintain one. The ermine of pessimism is not for history.

From this rather unpleasant task of disrobing, putting off the finery of old clothes and the jewelry of old heirlooms, aristocratic as they appear and ornamental too, let us see what positive position we may take, what new garments we may put on instead. They are not one but many because every negative so far indicated may be forced by skilful hands to furnish a positive print. As the best illustration of substituting for a dreary negative something at least

more positive, if not more comforting, I have chosen one which seems convincing. In selecting it there is the act of surrender to which I referred at the beginning, because it is an outline of what Droysen called *historics* within a portion of our field, small and distant but for that reason better capable of dispassionate examination. In this we follow the example of the material scientists, suggesting at least the idea of an historical laboratory and of exact results. In an effort to adapt method and matter from the rather contemptuous matadors of natural science, there is some humility and some chivalry: there is likewise the acceptance of special erudition and its adaption from modern French and German work, especially that of Seeck to which special indebtedness is acknowledged.

The latest criticism of history as a scientific discipline is identical with the earliest: it is that history cannot predict: it can establish facts and not laws. Let us frankly accept the test, but first let us consider for a moment the whole subject of natural laws as established by natural science, that is the uniformity of material nature as set forth in natural law. Uniformity without qualification is a misleading exaggeration. The most exact of the exact sciences are chemistry and physics, of these astronomy is agnate, and of astronomy meteorology is a department. What uniformity of nature makes possible weather prediction? Then let us consider science in relation to organic life; especially in the most important of all its relations, that to human life, or medicine, where the claim to prediction has so far been amusing. The retort springs to the lips: Give us more knowledge and we will secure an approach at least to prediction. This is exactly what the historian claims and, as we shall see, his approaches to accuracy are at least as near as those of the physician or the weather man. Is it not absolutely fair to say that only in so far as the exact sciences deal with identical materials under identical conditions do they approach exactitude?

In the next place even the tyro knows that distinctions once regarded as basic no longer exist, as for example, the various kingdoms of mineral, vegetable, animal; even the line between organic and inorganic, though not obliterated, is in places rather dim. Radiology is pretty hard to explain by the sacred law of the conservation of energy. Indeed according to the latest and highest authority, Planck of Berlin, both the kinetic and energy theories must in consequence be totally reconstructed: the new substitute, that of relativity, rocks the German world of science to its foundations. No mathematical formula exactly expresses the law of gravitation; the Ptolemaic system explains the facts of the universe almost, if not quite, as well

as the Copernican; there are still some very acute investigators who think in terms of devolution quite as successfully as those who employ evolution as a framework. Indeed, what is the prevalent pessimism, if not devolution? These are not quibbling considerations, not at all. Honor in the highest to the achievements of natural science, but equity too: in the group of sciences claiming to be most exact, there is at best but a more or less close approximation to law and prediction, a higher or lower degree of probability.

This pregnant truth is quite as true and even more striking in regard to biology and all its departments. Some twenty years ago there was bitter strife between the older natural science and the young knight of biology which leaped so debonair into the arena, demanding endowments and laboratories more costly even than the splendid palaces of chemistry, physics, and astronomy. Within this generation they have composed their quarrel and have concluded an alliance, offensive and defensive. But with what a surrender! the admission of a new meaning for natural law, the opening wide a door for such conjecture and such hypothesis! daring, limitless, vague, metaphysical to a degree never suggested by the humanities.² The meanest object which lives, vegetable or animal, lichen or earthworm, has a life and destiny all its own: we do not appear foolhardy in doubting whether any two cells, even, among the millions which form the thousands of leaves on any tree, are identical one with the other. The material of biology is individuals and these are just as hostile to universal rules as men and women. The laws of biology are fundamentally different, therefore, in scope and kind from those of chemistry and physics; yet no one denies that they are laws.

Take the famous and universally accepted law of natural selection—struggle for life and survival of the fittest—as an example. Helpful as it is in the study of life and the explanation of existence, immensely helpful as a principle, there is, in the first place, no mathematical formula for it; it is a law, but no prediction can be based on it and, worst of all, it requires no proof that an appreciable proportion of the unfit do survive, and of the fittest do not. This is a fact of the physical universe, not to mention the moral; using that word in its embryonic sense. Suppose that, of a hundred thousand fit, ten thousand survive and that, of a hundred thousand unfit, but a single hundred survive—and this is a very mild statement of what natural science admits as due to chance, whatever that may be—some factor beyond finite human grasp we may suppose—yet even in a

² Driesch, Bergson, etc., the metaphysical, vitalistic, speculative school opposed by Wilson, Bateson, Osborn.

case so extreme as the one we have cited, prophecy as to survival is impossible. Both the attraction of gravitation and the survival of the fittest are admittedly natural laws: the former is far nearer the line of absolute uniformity than the latter, though neither reach it. Radioactivity demands a radical modification of the concept underlying the phrase: conservation of energy. Fairness demands the admission that the test of prophecy throughout the universe of nature is relative, a question of probability.

Have we to come further down the ladder to apply the test of prophecy to history? Not much, if any. What else than prophecy is practical politics, statesmanship, as working in the past and all about us? A sporting man would even back the ward politician as against the weather prophet. So humble, but so useful a public servant knows human nature in its stable quality and unstable behavior with amazing accuracy when it comes to reckoning the strict party vote, the independent vote, and the venal vote; and his calculations are uncommonly reliable. But why is the meed of supremacy so universally awarded to the statesman as the king of men? Because he secures legislation and forms policies upon the basis of historical research, because from these he prophesies and secures results quite as often as similar predictions come true in natural science. This is the stable element in government, highest of human activities. Just as the more a meteorologist knows of temperature, wind, barometric pressure, and hygrometry, the more exact is his foretelling, so the more ministers and lawmakers know of history, the more trustworthy will be the operation of what we call ethical principle as set forth in human laws. Chance counts for just as little in statesmanship as in medicine. Humanity is, after all, a part of nature; there are human natural laws quite as really as there are material natural laws.

Ranke told us we must be content to determine "*wie es gewesen sei*", how *it* was; but neither he nor his followers made any serious effort to define the *it*, to fix the limit of investigation, how *what* was. We have searched the parish registers to determine the birthday of Oliver Cromwell or gathered information about that of Abraham Lincoln: side by side was just as accurate information about the appearance on earth of Henry Longworth, or of Francis Marden. To these rude forefathers of the village we are indifferent, to the other facts we devote ourselves. Those were historical characters, these were not, worthy as they may have been in their lives. Some facts are pregnant of historical results, other are not. Common-sense and instinct for the most part tell us what *it* was that is worth investigation, and what *it* was that is not. The search for pregnant

facts means the tracing of cause and effect, which is the establishment of law, natural or historical, statutory or otherwise, law in any of its widely various meanings. This is philosophy: Why are things as they are?

The highest and most delicate compliment which the natural sciences pay to history is the adoption of the historical method. It is within our own memories that they began to take stock: to ask where are we and how did we get here. This very striking fact is epochal. The wonders of the far-distant ages must be scrutinized for its parallel. The Greeks knew the amazing changes of the sixth century B. C. and we do not; in the fifth they began to take stock, to search for the foundations and the discoveries of things. Hecataeus found the phrase in his famous "*κτίσεις καὶ εὐρήματα*": the rise of city states, but also of the tribes, clans, and families within each, genealogy was history: on this foundation or basis were the "discoveries and inventions", the introduction of custom and law under which order was maintained. The first philosophers were natural philosophers. Thales derived the world from water and Heraclitus from fire: equally naïve and childish is the genealogy of the Greek people: deluge, then Deukalion and Pyrrha, who begat Hellen, the sire of Aeolus, Dorus, and Xuthus, father of Achaeus and Ion, in consequence you have the Aeolians, Dorians, Achaeans, and Ionians. There you are; could anything be more simple and complete?

Yes, natural history and human history were alike childish but—they were significant of the same passions for origins as dominate the scientific mind to-day and they showed the way in manly fashion. They fixed the goal of both science and the humanities: Account for what is, reject what has no bearing on things as they are. This is exactly what the scientific men of to-day who write the history, that is trace the genesis of their science and its advance, exactly what they do and, in so doing, they are an example to us. They do not range the universe, but carefully delimit their field, nicely defining their subject and sensibly eschewing omniscience, a foible to which long ago they were much given, as much given as are those of my colleagues to-day who range so far afield in search for novelty that, suddenly caught and questioned, they shamefacedly confess that history itself is of slight interest to them and guess that perhaps there is no history at all. Here we owe and acknowledge a boundless debt to natural science, and as we have accepted and answered, convincingly we hope, their challenge as to the test of prophecy, let us turn briefly and consider history writing both genetically and exegetically.

In secular history Hecataeus was our Newton. What he knew and stated, *viz.*, that history was concerned not with the past as a whole but only with so much of it as accounts for the present, this is the character of our discipline. Herodotus found his predecessors dull and prosy and wilfully forgot their position. He announced it as his task to make known glorious deeds as the heritage of his people, and to this he devoted himself. The aim of snatching from oblivion great men and their actions as a stimulus to posterity was not scientific, but it was educational. History as written to-day, and especially as taught in the schools, never loses sight of this use for history, not for a moment. Thucydides has the supreme merit of writing in one narrative the explanation of the present and the recording of glorious deeds as a possession forever (*κτῆμα ἐς αἰεί*). He is as scientific as Hecataeus and as absorbingly interesting as Herodotus. Why was this possible? Was it a stroke of that undervalued thing we call genius? Not entirely.

At this point there is again a rather striking parallel between old and new. Teachers are not much given to counting their mercies, but there is one inestimable privilege we enjoy, that of associating with colleagues in other lines on terms of intimacy. From the conversation and monographs of scientific men the fact emerges that the limit reached in their means of research is exasperating. The telescope and the microscope permit the sense of sight to go only so far: the profane say that in the photographs of Mars striations are due to imperfections of arrangement in chemical atoms on the photographic plates. The instruments of precision in physics are too small; and untrustworthy beyond a certain point. Chemistry too has its troubles and mathematics requires new stuff for further advance. Natural science tends to metaphysic on one side, to industrial and mercantile applications on the other.

In a rudimentary way the same thing occurred in Greece, only there the primitive means of research were so imperfect that natural science degenerated more speedily into sciolism. The mercurial and impatient Greeks were bored to extinction by the dull iteration and unfulfilled promises of natural science. Accordingly, when Socrates asserted that man was more interesting than nature and more easily investigated, since the instruments of research are within each of us, that conduct is an ultimate test and behavior easily observed, there was a sigh of relief and a hearty welcome for a human philosophy as a substitute for the natural. So it was that Thucydides found not merely a scientific but a moral element in history. So Polybius put the matter at a later date: Experience alone determines the effects of an action. This test is too hard, too tardy, too ruinous for the

individual in most cases. But history enables us to determine such effects without personal loss or suffering, and with great personal advantage. The experience of those who lived before us or are living with us in other spheres of action, shows what we may do and leave undone with advantage, or to avoid harm. We too are men, human nature is as persistent as material nature; like causes give like results. Then as now emerged in morals as in nature the test of science, the ability to prophesy.

If any buttress to this impregnable position were needed it could be found in a narrative far older than that of the Greeks: the cosmogony, the foundations, and the discoveries of the Hebrews as narrated in their and our sacred books. Those of other earliest peoples have been found and deciphered within a lifetime. One and all they record origins, foundations, discoveries: our own stand forth unique and convincing by reason of their moderation, proportion, and the better we understand them, of their plain, sound common-sense. A great divine of unquestioned orthodoxy says that they are a wonderful charcoal sketch of what might well have been. To the account of the creation, with whose general outline that of natural science fairly agrees as far as it has gone, there succeeds immediately a genealogical system exactly parallel with that of Hecataeus, only more reasonable because the names are mainly collective or gentile designations. The foundations having been stated, discovery and invention at once follow. Jabal is the father of herdsmen and breeders, Jubal of musicians, Tubal Cain of smiths, Noah of vine-dressers, Nimrod of hunters. The books of Judges, Kings, and Chronicles are the Herodotus of the Jews. In the moral lessons continuously extracted from the facts regarding persons and peoples we have the prototypes of Thucydides and Polybius. There is not the slightest proof that one such record influenced the other: on the contrary, since the Greek despised a barbarian as the Jew a Gentile, we may fairly draw the conclusion that on the higher plain of culture the procedure followed by both satisfies the universal want of thoughtful minds.

Much, very much of the history written before us is dead, and a good deal was still-born, then as now. What is still alive and is still read from the early days we have been considering until now will be found to contain all the elements enumerated. It either rescues noble deeds from oblivion for the emulation of posterity; or, it explains the present by just so much of the past as is needed; or it connects causes and results in human conduct so as to establish law; or more likely still it does all three in varied proportions. There is in it religion, philosophy, pedagogics, and science. It is but a

question of degree as to its scientific quality, and the element of science is steadily becoming larger in the composition. With physics turning into metaphysics, with chemistry turning industrial, and with biology confining itself to description—all alike declining either generalization or prophecy beyond the present stage, it seems possible and probable that the next scientific advance will be in history and the other humanities.

The laboratory of all science is antiquity. Nature is very, very old, and it is with nature, in nature, that natural science experiments. Physical laws are ubiquitous and omnipresent. The experimenter is the doubter and employs the little sample to test the huge mass; the infinitely little to measure the infinitely great. The results attained have been marvellous, but with advance the fallacy of this procedure suddenly appears and calls a halt. Scientific reality as measured by finite sense cannot go all the way; though we tunnel mountains to get bigger and bigger telescopes, though we scrutinize infinitesimal error by the test of mathematical formula, yet at a certain point, what is called the scientific imagination must be enlisted to guess the rest. These guesses for the future have enormous value and the value is exactly proportionate to the distance traversed in reality, the penetration into a far-distant past.

Why is this not equally true of a human discipline? It is. As nearly as an historian may have a laboratory, that laboratory is the earliest past. Hebrew has throughout the long ages been a spoken language for some few. Greek is a living tongue at this hour for more than eight million people. The Bible has been a vital force for five thousand years, Greek history for three. The examples of both have been the guide for many men in many ages; the last great cataclysm of modern history was in a measure due to young Bonaparte's devouring Plutarch's Lives. The concept of universal empire never perishes: at the moment there are five potentates who wear a title derived either from the Caesars or from Charles the Great. Our religions are Semitic, our philosophies Greek, our governments Roman, our art Chaldaean or Egyptian. We live, in spite of ourselves, in the longest perspective we can secure. Earth and man alike are besprinkled with antique dust; we emancipate ourselves slowly, agonizingly from the bondage of the past. Nothing is much harder than to commit junk to the junk heap, to feed the melting pot; one thing only is perhaps more difficult, to know junk when you see it. This is possibly the greatest achievement of the human mind.

In the laboratory of antiquity the historian has some manifest advantages, short as his perspective is. It is a laboratory in which all the experiments have been performed and the results only remain

to be interpreted. These experiments, moreover, were made not in the little but in the great; on a great stage, on a great scale, with a huge mass. If anything be petty it is the human vision and judgment, not the stuff and the apparatus. The nearer the facts, the greater the perplexity; the longer the perspective, the clearer our insight, the plainer are proportions and relations, the easier the interpretation. So complex has the world of civilization, the historical world, become that at first the ancients seem childish and simple. But the movement of multitudes, the dispersions of races, the discovery of proportion and discipline, the worthlessness of unhistoric size and countless numbers when confronted by the trained, disciplined little bands of historic heroes firm in their convictions, courageous in their behavior—all this is not childish but mature in a maturity never since surpassed, if indeed equalled. Their poetry is our despair, their art our master, their history our model; and what after all are our inventions compared to theirs? The amazing idea of picturing not things alone, but sounds; of analyzing complex sounds into simple ones; the discoveries of navigation, of trading, of international relations in peace and war, of government in the large on the basis of common welfare, of federating states! These all are ripe products of great minds. In the historical perspective we behold the experiment completed and deduce results more permanent and practical than those of natural science, bewildering as they are.

In this laboratory of history there is found something even more tremendous: that strange intermingling of necessity and liberty which forms the web and woof of history. It was Plato who wrote the first of what have been called paper-states: having set the example, others have followed it in steady succession until in our day utopias swarm like buzzing bees. The utopia or "no where" commonwealth is everywhere. These ideals have always been of importance to nation builders—as important as the plumb-line to the mason—inasmuch as under their influence the worthless past has fallen as did the walls of Jericho before the ram's-horns. Untempered idealism, whether of philosophy, theocracy, or humanism, continuously works havoc; ruin and frightful desolations ensue. But this very poison is the tonic of history. If mingled in due proportion with historical evolution it has changed the man in slow advance by man's knowledge of himself, it has regenerated the pagan family, the heathen state, and the Christian Church. There must be change if there is to be improvement; it is experience and idealism in just proportion which produce reform without revolution, change without chaos. While thus in the ancient world we

see the will unfettered as to speculation, we likewise reach the conviction that in practice things are as they are by absolute necessity. What a discovery! We dare not rationalize politics but, on the other hand, what an anchor of hope it is that though the dreams of men are valueless in themselves, the deeds to which they have impelled were the source of an almost miraculous amelioration of all human conditions.

The climax of values in the historical laboratory is the promise of the future, prediction again. Amid the results of ancient experimenting, lines apparently parallel meet, negations become positive, the inexplicable is made clear. So those who succeed us will find the solution of what are insoluble problems to us: the problems of medievalism and the survival of its unfittest elements, the problems of modern and contemporaneous history in its blind gropings for what perspective will make clear. In the discarding of threadbare words and terms, in the rejection of material which explains nothing, in the shaking off of institutional clothes which are merely stage frippery and tinsel, we may contribute our share to the majestic experimentation of history; succeeding ages will see the simplification of our problems and their solutions, as we may and do the processes in the ancient world. Not one of our modern nostrums is new; they tried them all, suffered, and relegated them to the chamber of horrid memories. This we know. We know, moreover, that if the ancients talked like angels they behaved like devils. We used to idealize them, some few still do. But sobriety desires no return, not even to the age of Pericles; the craft, the guile, the guilt of a time splendid and glorious. We know at what a cost of ruin and disgrace and final annihilation Greek society purchased it. We prefer the better, sweeter, purer lives of mankind, the sanity and patience of higher existence: the halo has vanished, the nimbus has been dispelled. We realize that it is far more important to live and to struggle, to conquer, yes to be conquered, in an age that by example and warning has secured grander ideals, wider experience, broader and deeper knowledge. And what history has done, true history will do, scientifically, sensibly, temperately, *in saecula saeculorum*.

WILLIAM M. SLOANE.

PRINCE HENRY OF PORTUGAL AND HIS POLITICAL, COMMERCIAL, AND COLONIZING WORK

I.

THE crusading and proselytizing sides of the Portuguese expansion both belong to Catholic Christendom and to West European civilization, as a whole; they both appeal to that international side of medieval life which was so long maintained by the international Church. Like his pattern, St. Louis of France, like all the more spiritual leaders of the earlier Crusades, Prince Henry had devoted himself to the service of the great system to which all Roman Christians belonged, and which had both political and ecclesiastical existence.

But this movement involved other objects as well. He was not only a Catholic soldier and a missionary leader; he was also a Portuguese statesman and general, "always devoted to public affairs", steadily aiming at the increase of his country's power and wealth.¹ More than any other man he helped to guide that country towards an imperial position. His friends and followers, and even those who for a time opposed him, came at last, to speak of him as "another Alexander". The first historian of his explorations exultantly doubts whether, since Alexander and Caesar, any prince ever had the signs of his conquest set up so far from his own land. And when one of his captains brings home some of the water of the Senegal, the same note is struck by the later *Chronicle of Guinea*, "I question if Alexander, who was one of the monarchs of the world, ever drank in his day of what was brought him from so far."²

With the Infant's father, Portugal's greatness had really begun; under John I. she had repelled Castilian invasion, created a new navy, and begun her conquests over sea. With the first step in these

¹ "Grande amor ouve sempre aa cousa publica destes regnos." His exertions in campaigning against Islam are treated as an immediate outcome of this patriotic statesmanship, "e assy se deleitava . . . no trabalho das armas, specialmente contra os inimigos da . . . fe". G. E. de Azurara's *Chronica do Descobrimento e Conquista da Guiné* (ed, Carreira and Santarem, Paris, 1841), ch. IV., pp. 23-24.

² "Outro Alexandre." *Ibid.*, ch. XVIII., p. 104; "Eu dovido, diz o autor, se depois do grande poderyo de Alexandre e de Cesar, foe algũ principe . . . que tam longe de sua terra mandasse poer os malhoões de sua conquista." *Ibid.*, ch. LXIII., p. 304; "E nom sey se Alexandre, que foe huũ dos monarcas do mundo, bebeo em seus dyas augua . . . de tam longe . . . trazida." *Ibid.*, ch. LXXV., p. 353.

conquests, the storm of Ceuta in 1415, Dom Henrique was closely connected; if we may trust Azurara, the original plan of campaign was largely, the final victory mainly, due to him. Even earlier than this, in the last years of the fourteenth century, King John's war vessels, we have seen, were making descents upon Muhammadan coasts,³ and Henry's work of exploration and conquest is apparently recognized by the founder of the dynasty as a development of his own. To the Infant, as to his father, the defeat of the hereditary foes of Portugal was a sacred and lifelong duty: this may be read in the death-bed exhortation of the first monarch of the House of Aviz.

Dom Henrique then was a leading member of a family which had saved Portugal's independence, and given her peace with honor, self-content and self-respect, good order, comparative prosperity, and the hope of a bright, even brilliant future. Several of his brothers were conspicuous for their gifts, their learning, and their taste; he and they together formed the brilliant group of noble Infants,

"Inclita geração, altos Infantes",

of whom Camoens sings.⁴ No royal race in Christendom guided with greater dignity, with higher culture, with steadier patriotism, the evolution of its people in that age of monarchical revival.

That Prince Henry, the "uncrowned prince", whose court was so far more full of noble vassals than any other, was conscious of his national position; that he, whose palace was such a school of hospitality for all the generous spirits of the realm, played a great part in home politics, in the life of his own country, is clear enough.⁵ His character, the originality of his policy and achievements, give him, especially from the death of John the Great in 1433, a distinct, defined place in the kingdom, parallel to, in a sense independent of, the royal person. His agency is powerful, perhaps decisive, in allaying the dissensions that follow the death of King Edward, and in establishing and maintaining the regency of Dom Pedro, as in overthrowing the same Dom Pedro when in revolt against the crown. As Duke of Viseu and Governor of Algarve,⁶ as a member of the

³ When they visited the northernmost Canaries, apparently before the French expedition of 1402. See Diogo Gomes, *De Prima Inventione Guineae* (ed. Schmeller), p. 34, and the AMERICAN HISTORICAL REVIEW, XVI. 13, n. 4.

⁴ *Os Lusíadas*, IV. 50.

⁵ "Mais e melhor gente . . . de sua criação . . . casa . . . huũ geeral acolhimento de todollos boõs do regno." Azurara, *Guinea*, ch. iv., p. 20; cf. also p. 23 of the same chronicle, as quoted above.

⁶ Prince Henry was Duke and *Alcaide Mor* of Viseu (see a charter of Afonso V., of April 8, 1439, confirming one of John I., of February 16, 1416.

Council of Regency, which administered affairs in the earlier years of Affonso V., Prince Henry belongs to the general political history of Portugal, just as in his capacity of "Protector of Portuguese Studies" he has his place in the literary and academic history of his country.

But it is of course in relation to foreign politics, outside interests, and the national expansion, that he occupies that distinctive position evidenced by those papal and other documents which couple his name with that of the reigning sovereign. His foreign policy may perhaps be defined as one which aims at detaching Portugal from Spain and Peninsular interests: at making her a world-power on and over seas: and so at gaining for her in colonial fields that importance she could never hope to acquire by influence in Europe. It is through this policy that the little kingdom of the Avis monarchs becomes for a time one of the first of Christian powers, and is able to "hold the East in fee" far more than Venice had ever done; the task to which Henrique calls his nation proves too heavy for her strength, but apart from it we cannot conceive that the history of Portugal would ever have had more than local significance.⁷

Prince Henry's public career we know opens with the conquest of Ceuta; and the capture of the African Gibraltar is not merely an event of value and meaning for Western Europe and Latin Christendom at large, but a matter of deep importance to Portugal herself. With this begins not only her African crusade, her direct relations with the Muslim states of Barbary; but also her colonial empire, her successful activity over sea.⁸ When the chronicler declares that

Chancelleria de Affonso V., liv. XIX., f. 36); as well as Lord of Covilham (see renewal of this grant by Affonso V., December 4, 1449; *Místicos*, III., f. 130); of Balea and the Berlengas (*Místicos*, IV., f. 22); of Lafoens, Besteiros, Linhares, etc. (Chanc. Affonso V., liv. XIX., f. 70 v., a renewal of a grant of John I.); of Tras Falmenar (*Místicos*, II., f. 201 v.); and of other lands and towns which supplied him with immense resources.

⁷ Only through this could a Portuguese monarch ever have been addressed, as Camoens addresses Dom Sebastian, the last king of Portugal's great age, as lord of an empire over which the sun never set:

"Cujo alto imperio

"O Sol logo em nascendo ve primeiro:

"Veio tambem no meyo do Hemispherio,

"E quando desce o deixa derradeiro." *Os Lusíadas*, I. viii.

"... O'er whose high domain

"The rising sun his earliest ray doth cast,

"Sees it in middle hemisphere again,

"And at his setting moment leaves it last."

⁸ On the value of Ceuta, see *Azurara, Guinea*, ch. v., p. 25, "Pois do proveito que a terra recebeo, o levante e o poente som . . . testemunha, quando os seus moradores podem comudar suas cousas, sem . . . perigoo, . . . nom se pode negar que . . . Cepta nom seja chave de todo o mar Medyoterreno."

Henrique was the first royal captain who landed by the walls of Ceuta, and that his square banner was the first that entered its gates, he claims for his hero a decisive part in a great political conquest as well as in a crusading victory.⁹ For *Septa* is not bestowed upon any free-lance of Christian chivalry, like the Syrian conquests of earlier time; it is held by the crown of Portugal for the nation whose blood and treasure had won it. And with this holding the Infant is specially connected. He governed Ceuta, says the *Chronicle of Guinea*, in the names of three successive kings, his father, his brother, and his nephew, for five and thirty years;¹⁰ it was for Portugal as well as for Christendom that he saved this stronghold from the Muslim attack of 1418, and from the suggestions of surrender in 1437-1438.

Again, the Infant's navy, the "armed ships which he kept at sea to guard against the Infidels" from the time of the Ceuta conquest, was of course a national as well as a crusading force, and played a valuable part in political and economic defense. For these war vessels checked the activity of those Muslim corsairs who in earlier centuries had sometimes paralyzed all Christian commerce, and made their descents upon every Christian coast, from the Bosphorus to Corunna. They kept in security, says Azurara proudly, all the shores of our Spain and most of the merchants who traded between East and West.¹¹ To the end of his life Dom Henrique worked for the "honor of the kingdom" as well as the "exaltation of the Faith"; that national honor he was constantly increasing in the view of his countrymen, by the subjugation of "so great and so distant a power of enemies"; and in this cause, as men knew, it was his wish to end his days.¹²

The charters which confer upon Prince Henry the islands of the Madeira group with their revenues and jurisdiction;¹³ which give him license to colonize the Azores;¹⁴ which forbid any Portuguese

⁹ "Primeiro capitam real que filhou terra acerca dos muros . . . sua bandeira quadrada a primeira que entrou pelas portas." Azurara, *Guinea*, ch. v., p. 26.

¹⁰ "Gouvernou . . . per mandado dos reis seu padre e irmão e sobrinho, XXXV annos." *Ibid.*, ch. v., pp. 28-29.

¹¹ These "navyos armados", maintained "contra os infiees . . . depois que a dicta cidade foe tomada . . . fezerom muy grande destroyçam . . . daalem e daaquem, de guisa que o seu temor poinha em segurança todallas terras vezinhas . . . e . . . a mayor parte dos mercadores que trauntavam do levante para o poente." *Ibid.*, ch. v., pp. 29-30.

¹² "Trabalhando . . . por honra do regno, e eixaçamento da sêta fe . . . em este processo desejou sempre acabar sua vida." *Ibid.*, ch. v., p. 32.

¹³ See Chanc. D. Duarte, liv. I., f. 18 v. (September 26, 1433); *Alguns Documentos do Archivo Nacional da Torre do Tombo ácerca das Navegações e Conquistas Portuguezas*, p. 2.

¹⁴ See Chanc. Affonso V., liv. XIX., f. 14 (June 2, 1439); *Alguns Documentos*, pp. 6-7.

to visit any of the Canaries¹⁵ and direct that no person whatever shall sail to the lands beyond Cape Bojador¹⁶ without his license; which exempt him and his colonists in the Madeiras from the payment of various customary dues;¹⁷ which allow him to take timber from the royal pine-forests;¹⁸ and which confer upon him the royal fifth in prizes taken by his ships, or the royal dues on merchandise from certain regions of the Atlantic coast of Africa;¹⁹ are all evidence of the political aspect of the prince's explorations. Equally explicit is the deed of grant by which the Infant in his last days presents to the crown of Portugal the temporalities of the Cape Verde Islands,²⁰ just discovered. And most instructive perhaps of all documents, in this sense, is the bull of Nicolas V., prohibiting all Christians from intruding into the African discoveries and conquests of Prince Henry and King Affonso V., without the permission of the King of Portugal, and declaring all this conquest, from Capes Non and Bojador towards the south, to belong of right to the said King Affonso and Prince Henry, and to no others.²¹

II.

The mercantile side of history has often been treated with the contempt, more often with the indifference, of ignorance. Yet nothing has been more efficient in aiding human progress than trade-activity. No form of man's energy has done more to link together distant and diverse races, to bring about the discovery of the earth, to promote truly useful knowledge, to "clear the mind of cant", to break down the obstacles, both mental and physical, which once hemmed in mankind and separated its lands and peoples from one another.

Now we may admit that the rhapsody of Thomson's *Seasons*²² upon

¹⁵ *Chanc. Aff. V.*, liv. V., f. 17 v. (February 3, 1446); *Alguns Documentos*, pp. 9-10.

¹⁶ *Chanc. Aff. V.*, liv. XXIV., f. 61 (October 22, 1443); *Alguns Documentos*, pp. 8-9.

¹⁷ *Chanc. Aff. V.*, liv. XIX., f. 19 (reissue of a charter of King Edward's).

¹⁸ *Chanc. Aff. V.*, liv. XIX., f. 17 v. (June 1, 1439).

¹⁹ *Chanc. Aff. V.*, liv. XIX., f. 19 (reissue of a charter of King Edward's).

²⁰ *Livro das Escripturas da Ordem de Christo* (Coll. de Dr. Pedralvares), f. 11 (September 18, 1460); *Alguns Documentos*, p. 27.

²¹ "Ipsam conquestam . . . a capitibus de Bojador et de Nam usque per totam Guineam et ultra versus . . . meridionalem plagam . . . declaramus ad Alfonsum Regem et successores . . . ac infantem, et non ad aliquos alios spectasse et pertinuisse ac in perpetuum spectare et pertinere de jure." From the bull *Romanus Pontifex*, issued from Rome, January 8, 1454; see Coll. de Bullas, maço 7, no. 29; *Alguns Documentos*, pp. 14-20, and esp. p. 17.

²² Thomson, *The Seasons*, "Summer", II., ll. 1010-1012.

"The Lusitanian prince, who, Heaven-inspir'd,
To love of useful glory rous'd mankind,
And in unbounded commerce mix'd the world,"

is the hyperbole of a poet, just as Azurara's "Prince little less than divine" is the hyperbole of a rhetorician and a courtier. But the more closely we examine the Infant's work, the more clearly apparent is its intimate connection, not only with crusading and patriotic conceptions and ambitions, but also with commercial interests. Like earlier explorers of the Western Ocean—the Genoese of 1291, who began the search for India by the ocean waterway round Africa, "that they might bring back useful merchandise", or the Catalans of 1346 who started to find the River of Gold²³—Dom Henrique, especially in his later years, aimed at the opening of a wider field for his country's trade. Azurara's own interest really begins to flag when the conquering and crusading activity of earlier time is so largely replaced by commerce and peaceful intercourse. Although he intends, while ending the *Chronicle of Guinea* in 1448, to supply us with another history which should reach to the end of the Infant's life, he seems never to have fulfilled this promise, and the prospect of such a task appears to excite in his mind but a lukewarm enthusiasm. "The matters that follow were not accomplished with such labor and bravery as in the past; for from this year the affairs of these parts were treated more by trafficking of merchants than by valor and toil in arms."²⁴ Yet Azurara, honestly struggling, with all his imperfection of insight and limitation of sympathy, to give us a true picture of the great movement which he traces, does not forget to include commercial aims—the importation of "Guinea" merchandise into Portugal, the exportation of Portuguese goods to "Guinea"—among the original reasons of the Infant's explorations.²⁵ Dom Henrique had ordered the quest for Guinea, not only

²³ See *Dawn of Modern Geography*, III. 413-420; 429-430.

²⁴ "Com entençom de fazermos outro livro que chegue ataa fim dos feitos do Iffante, ainda que as cousas seguintes nom foram traçadas com tanto trabalho e fortelleza como as passadas, ca despois deste anno avante, sempre se os feitos daquellas partes traçaram mais per traços e avenças de mercadarya, que per fortelleza nem trabalho das armas." Azurara, *Guinea*, ch. xcvi., p. 456.

²⁵ *Ibid.*, ch. vii., p. 46. Gomez, again, makes Dom Henrique hear, at the very beginning of his enterprise, of the "passage" of Tunis caravans and camels to, Timbuktu and Cantor, for the "Arabian gold" there found abundantly, and in consequence of this information send out Gouzalo Velho in 1416 to examine these lands by the maritime route in order to have trade with them.

Hieronymus Munzer (in 1494) adds that Henry, learning how much gold the King of Tunis got every year, sent two expeditions to Tunis, and having found how the King of Tunis sent merchandise over the Atlas ranges into "Southern Ethiopia", and so obtained gold and slaves, tried to do by sea this very thing

to find out the power of the Moors in Africa, to discover Christian allies against Islam, and to spread the Faith of Christ, but also to "join East with West, that nations might learn to exchange their riches".²⁶ More narrowly, modestly, and as the first step in his advance, he endeavored to discover in those lands beyond Bojador the safe harbors of Christian people into which his ships might sail, with which the Portuguese might trade. No other merchants, as he believed, had yet penetrated to those regions, and thus the wares of Portugal would find the readier market, and Portuguese traffickers the greater gain.²⁷

Once more, in the building of "His Town", the "Infant's Town", by Cape St. Vincent, at a point "where Ocean and Mediterranean might be said to meet", Prince Henry especially aimed at the creation of a great commercial port, a rival to Cadiz, where all ships passing from East to West might get provisions and pilots.²⁸

Again, as the Portuguese intercourse develops with the African mainland beyond Cape Bojador, and as Portuguese colonization progresses in the Atlantic islands, we find more attention paid to the development of trade, and we see the Infant becoming more watchful of his duties and his interests as guardian and director of this trade. Thus, even in 1433, we find him not only securing from his brother King Edward exemption from the customary payment of the royal fifth upon the prizes made by his war-ships, but also procuring the assignment to himself of the whole revenue of the Madeiras, a group he had begun to colonize eight years before, and at whose settlement

which for so many years had been performed by land. See Gomes (ed. Schmeller), p. 19; AM. HIST. REV., XVI, 11; Fr. Kunstmann, *H. Munzer's Bericht über die Entdeckung Guineas* (Munich, 1854), p. 60.

²⁶ "Tu per continuadas passagees fizeste ajuntar o levante com o poente, por que as gentes aprendessem a comudar as riquezas." Azurara, *Guinea*, ch. VI., p. 41.

²⁷ "Que acabandosse em aquellas terras" . . . (i. e., beyond Bojador and the Canaries, see *ibid.*, p. 44) "algũs taaes portos, em que sem perigoço podessem navegar, que se poderyam pera estes regnos (i. e., Portugal) trazer . . . mercadaryas . . . de boõ mercado . . . pois com elles nom tratavam outras pessoas . . . e que . . . levaryam pera lá das que em estes regnos (Portugal) ouvesse." *Ibid.*, ch. VII., p. 46.

²⁸ "Naquella honrada villa que . . . mandou fazer ao cabo de sam Vicente . . . onde se combatem ambolos mares, . . . o grande mar Occiano, com o mar Medyoterreno . . . querya ally fazer hũa villa especyal pera trato de mercadores, e porque todollos navynos que atravessassem do levante pera o poente, podessem ally fazer devisa, e achar mantimento e pillotos, assy como fazem em Callez." *Ibid.*, ch. v., pp. 33-34.

The tradition ("ouvy dizer", says Azurara, *Guinea*, p. 34) that the Genoese had offered to buy the site of the Villa do Ifante for a large sum when the city was begun by Dom Henrique is rightly regarded by the historian as proof of the great commercial possibilities of the position; the Genoese did not usually spend money, as he says, without a good hope of return.

he was now steadily working.²⁹ And again in 1438, at a time when the exploration movement was still criticized as materially unprofitable, and was still proclaimed before everything else as a Crusade, Pope Eugenius IV., who twenty months before had summoned all the princes of Christendom to aid the Portuguese in the Sacred War, now permits these very Portuguese to trade with the Moors of Africa in all merchandise except the iron, timber, and other material of war or shipbuilding usually excepted from any such permission.³⁰

But it is of course with the events of 1441-1442, with the arrival of the first slaves and gold dust from Guinea, that the question of African commerce assumes real importance; that the opposition to the Infant's policy is converted into cordial support or grudging assent ("men with soft voices praising what they had publicly decried");³¹ and that Portugal as a nation becomes interested in the discovery and exploitation of the *terra incognita*. It is now therefore when men had begun to learn "how they could make profit" from the new land,³² that Dom Henrique obtains his decree of monopoly from the Portuguese government, forbidding any one to go to the country beyond Bojador either for war or traffic without his license, and conceding to him the customary fifth and tenth upon all goods brought from these regions in his ships.³³ Still more important trade-developments were soon to follow. The fort and factory commenced on Arguim Island in 1445, and the first exploration of the Sahara interior by João Fernandes about the same time, seem to be both symbols and causes of a momentous change of policy. It is now, as Gomes points out, that Prince Henry abandons the attitude of a mere crusader in Guinea, a Christian conqueror and exterminator of infidels, and begins to insist on ideals of peace, friendship, trade, and conversion. Henceforward his men were not to make strife, but to treat of merchandise.³⁴

²⁹ Chanc. D. Duarte, liv. I., f. 18; *Alguns Documentos*, p. 2 (September 26, 1433); see above. By another charter of the same date (same references), the crown reserves to itself the tenth of the produce of the Madeira fisheries.

³⁰ This is the bull *Praeclaris tuae*, issued by Eugenius IV. from Bologna, May 25, 1438, and addressed to King Edward; see Coll. de Bullas, maço 4, no. 5, and summary in *Alguns Documentos*, p. 5.

³¹ "Com vozes baixas louvavam o que ante publicamente doestavam." Azurara, *Guinea*, ch. XVIII., p. 104.

³² "O Iffante . . . dando caminho a as gentes como aproveitassem a terra." *Ibid.*, ch. XVIII., pp. 103-104.

³³ Chanc. Aff. V., liv. XXIV., f. 61; *Alguns Documentos*, pp. 8-9 (October 22, 1443; from Penela, see above). This is the charter noticed by Azurara, *Guinea*, ch. xv., p. 92, "O Iffante dom Pedro, que . . . regya . . . em nome delRey, deu ao Iffante . . . carta, per que ouvesse toda o quinto que a elRey pertecia . . . lhe outorgou mais, que nhũu nom podesse la ir sem sua licença e especial mandado."

³⁴ "Quod non facerent litem . . . sed ut . . . tractarent mercimonia quia intentio sua erat ipsos facere Christianos." Gomes (ed. Schmeller), p. 23.

To the Arguim factory where something of a colony seems to have been planted, with a chaplain who is probably a missionary also, a considerable native trade in slaves and gold soon flows in.³⁵ Till the establishment of El Mina, almost forty years later, and within a short time of the discovery of the Cape, this foundation of the Infant's remains one of the two chief centres for the West African trade of Europe.³⁶

João Fernandes, in his voluntary seven-months residence among the tribes of the Western Sahara, appears to mark the commencement, not only of modern Christian intercourse with the African interior, but also of a higher European feeling towards the African native, moved by the primal passions of mankind to such a love of the Portuguese pioneer, so completely in their power.³⁷ From his savage friends Fernandes appears to have gained an excellent knowledge of the markets, trade-routes, and chief articles of commerce in this part of the continent, and it is mainly through him that so flourishing a traffic is established between the Portuguese and the tribes of the desert, a commerce which is the first step on the road to Timbuktu, and the first stage in the mercantile relations of Europe with extra-Mediterranean Africa.³⁸

And now we begin to hear of Prince Henry's factors keeping record of all the receipts and expenses of this Moorish or Sahara traffic, and of the regular resort of Portuguese fisher-folk to the waters of this coast; we begin also to have minute and systematic trade-reports, not merely upon the desert shore-lands, but upon large districts of the Sudan as well.³⁹ The most ambitious, picturesque,

³⁵ A certain trade in cotton may also have existed. Azurara, *Guinea*, ch. LV., p. 256, mentions the cotton trees of Tider ("arvores dalgodom, ainda que muytas nom fossem").

³⁶ The other was at the mouth of the Senegal.

³⁷ "Somos todos filbos de Adam, compostos de huũ meemos ellamentos . . . todos recebemos alma como criaturas razoavees." Azurara, *Guinea*, ch. xxxv., p. 174; "Por estes primeiros padecimentos . . . se moverom aquelles a afeiçom de Joham Frřz." *Ibid.*, p. 175.

³⁸ *Ibid.*, ch. xxxv., pp. 176-178; chs. LXXVII.-LXXVIII., pp. 364-372; ch. xciii., pp. 437-438. The average of profit was 17 for one, or 1,700 per cent. ("Perche di un soldo ne facevano sette e dieci.") The business arrangement of Dom Henrique with adventurers such as Ca da Mosto was as follows: If the venturer furnished his own ship and cargo, he must pay the prince one-quarter of the profits. If the prince furnished ship and cargo, he received half the gain, bearing the whole loss, if the voyage failed. "Navigationi di Messer Alvise da Ca da Mosto", in Ramusio, *Navigationi*, (Venice, 1563) I. 97; in Jean Temporal's version, *Description de l'Afrique* (ed. Schefer, Paris, 1895), p. 1. Also see E. G. Bourne, "Prince Henry, the Navigator", in *Yale Review*, III, 201.

³⁹ The first of these of any importance (relating to the West Sahara tribes) is that of João Fernandes himself; see Azurara, *Guinea*, chs. LXXVII.-LXXVIII., pp. 364-372. On the development of trade with the Moors in 1446-1448, see *ibid.*, chs. LXXXIX.-XCIII., pp. 419-440 (e. g., "Joham Gorizo . . . levava cargo de screver todallas receitas e despezas dos Mourosi", p. 419).

and valuable of these reports is given us by the Venetian merchant, Alvise Ca da Mosto, voyaging, as we know, in the service of the Infant. His work is avowedly the production of one whose main object was the pursuit of wealth, and who was attracted to the flag of Dom Henrique by the hope of extraordinary profit.⁴⁰ It relates therefore, as we might expect, primarily to mercantile affairs. It is the earliest European handbook of West African or "Guinea" commerce. Beginning with a charming and vivid account of the Portuguese colonies in the Madeira group, and especially of their trade, the Venetian passes on to delineate in great detail the new Christian intercourse with the African ocean coast and upland both north and south of Senegal, and the conditions of life and commerce among the natives themselves, Moorish and negro.⁴¹ He pays particular attention to the mercantile relations of the Arguim factory, but he does not forget to refer to the more distant interior, as far as Timbuktu, and to outline the course of traffic between the markets of the African Mediterranean, of the Western Sahara, and of Negroland itself—a traffic which brought the silken fabrics of Tunis and Granada far into the countries of the heathen blacks.⁴² Everywhere the narrative is remarkable for its close observation and careful description of all matters even remotely connected with European trade-interests in the regions visited.

From Ca da Mosto's pages the worldly wisdom of Dom Henrique's new commercial policy is sufficiently evident; the Arguim trade alone now yielded annually to the regular Portuguese traders holding license from the prince, without reckoning interlopers, as many slaves as the whole of the first seven years of raiding.⁴³

Of the Negro World beyond the Senegal, its agriculture and domestic economy, the dress of its people, the products of its land, its actual trade, its strange custom of dumb barter, the possibilities of its future commerce (as in the iron which the natives could not work), Ca da Mosto tries to give his readers a complete and accurate conception. Nothing is neglected which could be of interest or value to the Christian merchant—the salt of the Cape Verde Islands; the exact price of civet; the abundance of cotton, the scarcity

* Ca da Mosto in Ramusio, I. 97, C, "sperando . . . di douerne conseguire . . . utile . . . informatomi delle mercatantie e cose che vi erano necessarie" is expanded in Temporal's version (ed. Schefer), p. 18. "L'esperance du gain . . . my eguillonnoyt merueilleusement," etc.

⁴¹ In Ramusio, I. 97, E-98, B; 98, F etc.; in Jean Temporal's version (Lyons, 1556), I. 402-404, 408, etc.; (ed. Schefer), pp. 21-29, 38, etc.

⁴² In Ramusio, I. 99, B-E; 100, A-C; 104, E-F; 105, A; 108, D-E; in Temporal (ed. Lyons), I. 409-410, 412-413, 415, 432, 446-447, etc.

⁴³ "In modo che ogni anno si trazze d'Argin per Portogallo da settecento in ottocento teste." Ramusio, I. 99, D.

of gold, in the Gambia valley; the palm wine, oil, and millet, and even the valuable parrots, of the Senegal.⁴⁴ Everywhere, in obedience to his instructions, he endeavors to avoid conflict, not always with success, in the face of truculent natives; his object, his commission (he never forgets) is to establish commerce, and so to pave the way for conversion.

It is curious to note that even in the Gambia basin he finds a still earlier Italian visitor, a Genoese analogue in the fifteenth century to the ubiquitous Scotchman whom every explorer of the nineteenth is fabled to have found before him, selling something; he impressed Ca da Mosto as highly trustworthy, but may we not guess that the thrilling serpent stories which the Venetian repeats were really intended to discourage a rival trader?⁴⁵

Again, Diogo Gomes, the Portuguese, though commissioned primarily to explore, and if possible to reach the Indies, on his first voyage of 1456, falls back upon trade when his India-ward course is checked by the currents beyond Rio Grande. Like Ca da Mosto, and perhaps even more successfully, he opens trade with the natives of the Gambia, and brings home abundant and confused information of Timbuktu and other inland markets, and of the gold mines of Negro-land. He makes it his business to inquire the way to these gold-bearing regions of the Sudan; he notices himself how natives loaded with gold were constantly to be seen moving about the country; he is careful to conclude formal treaties of commerce with negro chiefs.⁴⁶ Incidentally he tells us of Dom Henrique's correspondence with a merchant of Oran in Muhammadan Algeria, and of the reports furnished to the Infant by this trader (whether Muslim or Christian we cannot say) upon the relations of negro states in the heart of West Africa. These reports Gomes declares agreed closely with his own in the matters for which he refers to them; whether agreeing or divergent, they are surely suggestive of the careful search for truth, the wide outlook, the varied information, of a real statesman; above all they illustrate once more the value of trade and traders to that movement of European expansion whose permanent success begins with the work of Prince Henry of Portugal.⁴⁷

⁴⁴ See Ca da Mosto in Ramusio, I. 100, B-C; 101, F; 103, D, F; 104, A-F; 105, A; 108, D-E; 109, A-D; and in Temporal (ed. Lyons), I. 413-414, 419-420, 427-428, 429-431, 431-432, 446-447, 449-450.

⁴⁵ On this "Genouese huomo degno di fede" see Ca da Mosto in Ramusio, I. 104, A-C.

⁴⁶ See Gomes (ed. Schmeller), "inivimus pacem", p. 26, foot-note; "pace facta cum istis de Cantor", p. 28; "multum laboravi facere pacem", p. 29; "amicitiam maximam factam inter me et illum", p. 30; "melius esset facere pacem", p. 31, E.

⁴⁷ See Gomes, pp. 27-28, on this correspondent of the prince's ("quidam mercator in Oran") and his information.

III.

Nowhere perhaps is Dom Henrique more clearly a pioneer of the modern world than in colonization. Under his leadership the Portuguese commence the earliest of modern European colonial empires (even if it is not quite the earliest of modern European colonial experiments), and Prince Henry's rediscoveries in the Atlantic are, from the first, accompanied by this element of permanent Christian settlement, in contrast to almost all previous enterprise in these waters. The Genoese of Lanzarote Malocello and the French of Gadifer and Béthencourt are almost the only parallels here.

On this point again the *Chronicle of Guinea*, beneath all the disguise of its rhetoric and imagery, accurately seizes the essential fact. Thus in that remarkable visionary proem whereby the life-work of the hero is brought before us in a series of pictures, we have, in a manner foreign enough to modern scientific method, the suggestion of the same truth which modern research endeavors to elucidate. "I had already made an end, had I not described a multitude of lofty sails, bearing along a fleet of vessels laden from the islands thou didst people in the great sea of ocean." Then, feigning to be transported to these islands beyond the waters, and especially to Madeira, the historian tells us something of their beauty and prosperity, their irrigation, agriculture and pasturage, their cattle-stalls, bee-hives, and sugar-plantations, and celebrates above all the lofty timbered houses of the colonists, to whom he pretends to listen as they praise their founder. Had the folk of the Algarve, the backward southern province, ever known abundance of bread until the Infant peopled the uninhabited isles where no dwellings had been save those of wild beasts? Was not store of wheat, timber, sugar-cane, wax and honey, now sent from these colonies to Portugal and every country?⁴⁸

A respectable amount of material exists, mostly still unpublished, in the National Archives of Portugal, in relation to Prince Henry's commercial interests and resources. Thus, e. g., King John grants him the foundation and control of a free fair in Thomar (April 13, 1421; Chanc. João I., liv. IV., f. 19); King Edward and King Affonso similar privileges in fairs established at Tarouca (August 26, 1435; Chanc. Duarte, liv. I., f. 162 v.; and Místicos, liv. IV., f. 44 v.); at Pombal (May 4, 1442; Chanc. Aff. V., liv. XXXV., f. 100 v.); at Viseu (January 13, 1449; Místicos, II., f. 35). To these grants add the monopoly of the tunny and coral fishery off the Algarve, the southernmost coast of Portugal (Chanc. Duarte, liv. I., f. 18; Chanc. Aff. V., liv. XIX., f. 18 v.); the monopoly of the manufacture and sale of soap in Portugal (Chanc. Duarte, liv. I., f. 18; Chanc. Aff. V., liv. XIX., f. 17); a similar monopoly of dye (Chanc. Aff. V., liv. V., f. 18); and the monopoly of the coral fishery (Chanc. Aff. V., liv. XXXIV., f. 202 v.). All these charters I examined in the spring of 1909.

⁴⁸ "Ja quisera fazer fim . . . se nom vira viir a multidom dos navyos com as vellas altas, carregados das isilhas que tu povoraste no grande mar Oceyano

In less poetic language, but with a better supply of practical illustration, we shall find the chief historians of Henrique's later years describing the steady growth of the Madeira settlements, and their excellent prospects at the time of the birth of Columbus (c. 1451).

It is in 1425, seven years after his earliest successes in oceanic discovery, five years after the full recovery of Madeira to European knowledge, that Dom Henrique begins his colonial experiment⁴⁹ with the settlement of Funchal, the "Place of Fennel". From this time we possess fairly continuous material for the history of this enterprise, here and elsewhere. In 1433, as we have seen, King Edward bestows upon his brother, as an accession gift, the whole of the Madeira group "which the said Lord Infant is now colonizing".⁵⁰ In 1439 we have still more important legislation. For one thing, the colonists of the Madeiras are exempted from the hitherto customary payment of a tenth on their exports to the home kingdom; for another, and this is of special interest, license is now given to people the Seven Islands of the Azores, to which the prince had already sent over live stock, and which he desired to colonize.⁵¹ This license is renewed in exactly similar terms, after ten years, in 1449. In the interval between these two decrees, as we learn from other Azorean documents of 1443 and 1447, which impose definite payments upon the colonists, the actual settlement of these Western Islands must have begun.⁵²

... mostraromme ... abogoaryas ... filhas das colmeas ... alturas das casas, que se ... fazem com a madeira daquellas partes." Azurara, *Guinea*, ch. 11., p. 14.

⁴⁹ This point is quite decided by the prince's charter of September 18, 1460 (from Livro das Escrip. d. Ord. de Christo, vol. III., f. 7 v., Coll. de Dr. Pedralvares); summarized in *Alguns Documentos*, p. 26; "Comecei de povoar a minha ilha da Madeira avera ora trinta e cinco annos, e isso mesmo a do Porto Santo e deshi ... a Deserta, das quaes ilhas ... edifiquei e novamente achei."

⁵⁰ Chanc. Duarte, liv. I., f. 18; *Alguns Documentos*, p. 2. Two charters issued from Cintra, September 26, 1433.

⁵¹ (A) Chanc. Aff. V., liv. XIX., f. 17 v.; *Alguns Documentos*, p. 6; charter issued June 1, 1439, from Almada. (B) Chanc. Aff. V., liv. XIX., f. 14; *Alguns Documentos*, pp. 6-7, and *Archivo dos Açores*, I. 5; charter issued from Lisbon, July 2, 1439, "D. Henrique ... enviou dizer que elle mandára lançar ovelhas nas sete ilhas dos Açores e que se nos aprouvesse que as mandaria povoar."

⁵² The renewal charter of 1449 (dated from Santarem, March 10) is, in manuscript, in the Chanc. Aff. V., liv. XX., f. 37 v., and in *Místicos* II., f. 36 v.; in print, in *Arch. d. Açores*, I. 7-8. But the Azorean charters of 1443 and 1447 tax Azorean colonists: (A) issued from Lisbon, April 5, 1443, orders all these settlers to pay tithe for five years, and is addressed "a Gonçalo Velho, commendador das ilhas dos Açores, e a todos os povoadores que estam e vivem nas ditas ilhas, da feitura desta nossa carta até cinco annos ... peço do Infante D. Henrique"; see Chanc. Aff. V., liv. XXVIII., f. 107 v.; *Arch. d. Açores*, I. 5-6; (B) issued from Lisbon, April 20, 1447, orders the colonists in St. Michael to pay tithe on all the "generos" produced in this island; Livro das Ilhas, f. 26 v.; *Místicos*, II. 196 v.; *Arch. d. Açores*, I. 6-7.

The first known examples of official papers from Henrique's chancery, signed by himself (of 1430 and 1440) refer to colonization; the first of these regulates the settlement of Madeira, the second bestows a part of the island upon the famous Tristão Vaz Teixeira, one of the first discoverers and settlers of the Woodland Isle.⁵³ And few of the Infant's charters are of greater interest than that whereby the prince in 1446 bestows Porto Santo upon Bartholomeu Perestrelo, the father-in-law of Christopher Columbus.⁵⁴

In the last decade of Prince Henry's life Portuguese colonizing ambition had reached the extreme west of the Azores, for in 1453 we find the crown granting the still uninhabited Corvo to the Duke of Braganza.⁵⁵ Just before the Infant's death it had begun to touch the new-found archipelago of the Cape Verdes, for one of the latest of the Infant's charters bestows the temporalities of these islands upon the King of Portugal, and their spiritualities upon the Order of Christ.⁵⁶ But it is only in the Madeira group that we have the material for any real picture, even in outline, of the European settlement accomplished under the Infant's inspiration and control; here fortunately all our chief authorities unite to help us.

Whether Dom Henrique did or did not institute family registers for his colonists in the Madeiras; whether the first children born to the European settlers in this new land, reflecting the wonder of men beginning human life afresh in a strange world, were named Adam and Eve; whether the fire that wasted the forests of Madeira so cruelly in the days of the first plantation could in any sense be made to last, as a contemporary declares, for nine full years; the steady progress of the prince's settlement is here sufficiently proved by an unusually full and satisfactory concordance of authorities.⁵⁷ By the end of the Infant's life the colonists of Madeira are estimated by thousands, able to furnish an army of a hundred horse and seven hundred foot.⁵⁸ From a soil of marvellous fertility, "like a garden", which at first had yielded up to sixty-fold, a splendid harvest

⁵³ See A. Cordeyro, *Historia Insulana*, bk. III., ch. xv., on the charter of 1430. That of 1440, issued from Santarem, May 8, is in *Livro das Ilhas*, f. 21; *Alguns Documentos*, p. 7.

⁵⁴ Chanc. Aff. V., liv. XXXIII., f. 85; *Alguns Documentos*, pp. 10-11; charter issued from the "Infant's Town" (Minha Villa), November 1, 1446.

⁵⁵ Chanc. Aff. V., liv., III., f. 2, and *Misticos*, liv. III., f. 69; *Arch. d. Açores*, I., 9; charter issued from Evora, January 8, 1453.

⁵⁶ *Livro das Escripturas da Ordem de Christo* (Pedralvares), f. 11; summarized in *Alguns Documentos*, p. 27; charter issued from the "Infant's Town" (Minha Villa), September 18, 1460.

⁵⁷ On the Madeira fire, see Gomes (ed. Schmeller), p. 38; Ca da Mosto in Ramusio, I. 97, F.; on the Madeira family registers and Adam and Eve, see the information supplied by the Count of Rivas to R. H. Major (*Henry the Navigator*, 1868), p. 73, and Antonio Cordeyro, *Historia Insulana*, bk. III., cap. xv.

⁵⁸ Ca da Mosto in Ramusio, I. 97, F.

of many thousand bushels was reaped year by year; it was no wonder that the beginnings of a great export trade in grain were already to be noted.⁵⁹ Saw-mills had been erected on the streams of the island; a prominent colonist, famous for his ventures into the Atlantic, contracts (in 1452) to build a water-mill for the manufacture of cane-sugar.⁶⁰ As to the timber of Madeira, from which the land was named, its mercantile value was already considerable; furniture was now exported, especially tables and boxes, made of red yew and fragrant cypress-like cedar, producing in Portugal a revolution in the style of domestic architecture.⁶¹ Sugar-cane, originally imported from Sicily, was another useful asset for which the planters found a market both in Eastern and Western countries; but the vines, and especially the Malvoisie or Malmsey, transplanted with brilliant success from Crete, and producing "well nigh as many grapes as leaves", were the most remarkable, precious, and beautiful product of the new Madeira.⁶²

In the Azores, where colonization had begun later,⁶³ and had apparently proceeded more slowly, material progress had naturally been less marked, although the cattle, swine, sheep, and corn of St. Michael's were all exported to the home-kingdom before many years had passed, while its sugar produce was sufficiently respectable to form a special item in a bequest of Dom Henrique to the Order of Christ.⁶⁴ But the enterprise of planting a European settlement in these Western lands,⁶⁵ lying so far out in the ocean, nine hundred miles from Finisterre, one-third of the distance from Spain to Florida, was a bolder and more difficult matter than the colonization of the Madeiras and Canaries or even of the Cape Verdes. It was almost a foretaste of the colonization of America when Dom Hen-

⁵⁹ Ca da Mosto in Ramusio, I. 97, F; Gomes (ed. Schmeller), p. 39.

⁶⁰ Ca da Mosto in Ramusio, I. 97, F; Gaspar Frutuoso, *Saudades de Terra* (ed. Azevedo, 1873), pp. 65, 113, 665; O. Martins, *Os Filhos de D. João I.*, pp. 80, 258.

⁶¹ Ca da Mosto in Ramusio, I. 97, F-98, A; Gomes (ed. Schmeller), pp. 38-39; Azurara, *Guinea*, ch. II., p. 14.

⁶² *Ibid.*, chs. v., LXXXIII., pp. 30, 390-391; Ca da Mosto in Ramusio, I. 98, A; Gomes (ed. Schmeller), p. 39.

⁶³ Azurara, *Guinea*, ch. LXXXIII., p. 389, makes the colonization of the Azores begin in 1445, while that of Madeira he commences in 1420 (*Guinea*, p. 388); both dates are inaccurate, as we have seen.

⁶⁴ The cattle, corn, and sugar of St. Michael's are noticed by Gomes (ed. Schmeller), p. 40. "Porcos, vaccas, oves, de quibus maxima multitudo . . . ad Portugalliam deducunt omni anno. Similiter . . . de tritico . . . tanta copia, ut omnibus annis naves . . . triticum in Portugalliam ducunt." On the sugar bequest ("da . . . Sam Miguel . . . ameetade dos açucaraes"), see Azurara, *Guinea*, ch. LXXXIII., p. 391.

⁶⁵ Prince Henry was fortified, Gomes declares (p. 41), by a papal grant of a more ample nature than we possess as to the Atlantic Islands. "Eugenius papa . . . fecit mentionem, quod omnes insulae inventae in . . . Oceano essent Domini Infantis et Ordinis Christi."

rique, perhaps in 1439, certainly by 1443, sent out his people, with their seed-corn, their live stock, and their German horses,⁶⁶ to plant a new Portugal, a new outpost of Christian Europe, in so distant a corner of the waste of waters, hitherto inhabited only by wild birds, and especially by the hawks and kites⁶⁷ from which the group now took its name.

It is evident from Prince Henry's will, executed in the autumn of 1460, a few days before his death, that European colonization had already penetrated to the remotest of the Azores, for what else can be meant by the Infant's reference to his foundation of churches in Corvo, Flores, Fayal, Pico, and St. George, as well as in the better-known, more important, and more accessible Terceira, St. Michael, and St. Mary?⁶⁸ And an additional fact which apparently emerges from the very imperfect, and partly vitiated, evidence at our disposal, that the Infant employed certain Flemings in his service in the work of Azorean plantation, forms another and a remarkable example of the international character of the prince's policy and action, even in prosecuting a national undertaking.⁶⁹

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⁶⁶ "Multos trotones equos de Alemania." Gomes (ed. Schmeller), p. 41.

⁶⁷ "Astures seu Açores." *Ibid.*, p. 40.

⁶⁸ For this "testamento", made October 13, 1460, see *Arch. d. Açores*, I. 331-336, and esp. p. 334, and Sousa Holstein, *A Escola de Sagres*, p. 81-86, and esp. p. 84: "Ordenei e estabeleci a igreja de S. Luis na ilha da S. Luis, e a igreja de S. Diniz na ilha de S. Diniz, e . . . de S. Jorge na ilha de S. Jorge, e de . . . S. Thomaz na ilha de S. Thomaz, e de . . . S^a. Eiria na ilha de Santa Eiria . . . de Jesu Christo na ilha de Jesu Christo, e outra igreja na ilha Graciosa. Item ordenei e estabeleci a igreja de sao Miguel na ilha de sao Miguel; e a igreja de Santa Maria na ilha de Santa Maria." From certain leading maps of this time and especially that of Christofalo Soligo (c. 1455?) it appears evident that the island of St. Luis is Pico; St. Diniz, Fayal; St. Thomaz, Flores; St. Eiria, Corvo. The Island of Jesus Christ is of course Terceira; Graciosa, St. George; St. Michael and St. Mary still keep the same names.

⁶⁹ On the Flemings in the Azores, see Jules Mees, *Découverte des Iles Açores*, pt. II., passim, and esp. pp. 109-117. Antonio Cordeyro, *Historia Insulana*, deals with this question with equal length and inaccuracy (so also G. Fructuoso, *Sauvages de Terra*); he gives the professed copy of a charter by which Prince Henry on March 2, 1450, gave the captaincy of Terceira to Josuá van den Berge of Bruges. See also the Azorean inscription on Behaim's Globe of 1492, and a document of September 16, 1571, in the Archivo Nacional of the Torre do Tombo (gaveta 15, maço 16, no. 5) which contains the judgment in a law suit as to the succession to the commandership of Fayal. See also R. H. Major, *Henry the Navigator*, pp. 239-244.

SIR GEORGE DOWNING AND THE REGICIDES

THE Royalists who came into power upon the restoration of the English monarch in 1660 were resolved to avenge their losses and sufferings upon their enemies. They soon discovered, however, that little could be done except against the regicides, the men who had sat in judgment upon Charles I., or who had taken some part in the court proceedings, or in the execution of the king. For these persons no one had a word of justification or excuse.

The regicides, including under that term all who took any part in the death of King Charles, numbered about one hundred persons. Of this number twenty-five had died, and so could not be reached. Of the remainder, a score were able to save themselves from loss or suffering because they had taken too slight a part in the crime to be held strictly responsible, or because they had rendered service in the Restoration, or because they hastened to make a humble submission and to submit base and false apologies. Twenty-nine of the remainder were immediately seized upon, tried for high treason, and found guilty. Ten of these were executed, of whom only six had actually taken part in the trial of the king. The rest of the condemned were punished by the infliction of penalties less than death. Of all the other regicides, only nineteen escaped the vengeance of their enemies. These nineteen made good their escape from justice by flight. Three of them came to New England, and the remaining sixteen found a precarious refuge on the Continent. Parliament attainted them. Their property was confiscated, and they were liable to immediate execution as traitors if they fell into the power of the English government.

It goes without saying that strenuous efforts were made to lay hands upon these outlaws. Attempts to do so were made in New England, in Geneva, in Germany, in Switzerland, and in the United Provinces. It is the story of the success of the efforts made in the Netherlands that will be related here.

As early as September, 1660, Charles II. sent to the Hague a Catholic priest by the name of O'Neill, to present several matters to the government of Holland, and among these one concerning the surrender of certain regicides then in that province. Johan de Witt, at that time head of the provincial government, declared his willingness, as a favor to the newly-restored monarch, to assent to the issue of a warrant for the arrest of the regicides, but said that before

doing so he must be furnished with the names of the persons O'Neill apparently did not supply these, and nothing further came of this attempt.¹ The truth is that the authorities of Holland were unwilling to make the surrender. Clarendon complained of this, and received an answer to the effect that the provinces were bound to reckon with the fact that the Netherlands were well known to grant freedom to everyone who came there, and that nothing could be done against the liberties of the states.²

In December, 1660, Sir William Davidson, a Scottish merchant residing in Amsterdam and a sturdy Royalist, appealed to the burgo-masters of that city for assistance in capturing some of the fugitives then present there, but in Amsterdam such an appeal could not succeed. Instead of granting the assistance prayed for, the burgomasters ordered the police to give no aid to Davidson. Sir William hereupon hurried off to the Hague to get a warrant for the arrest of the fugitives from the Estates of Holland, but nothing came of his efforts.³

Matters stood thus, when Sir George Downing came to the Hague in the capacity of envoy extraordinary for the king. He had occupied a similar position there under Cromwell and under the Commonwealth, and had been a friend of many of the regicides. He had shared in the benefits which accrued to those who loyally supported Oliver, and it was hardly to be expected that he would make any serious effort to deliver any of his old friends to certain death. But he was extremely anxious to prove his loyalty to the new sovereign, and so increase his own fortunes. He declared to Clarendon that he would do "as much as if my life lay at stake in the busines" and that "if my father were in the way I would not avoyde him for my Loyalty".⁴ This was characteristic of the man. He was perfectly willing to sacrifice his nearest and dearest to the master whose bread he ate, whether that master was called Oliver or Charles. He was always true to those who paid him.

Downing was thoroughly qualified for the business of catching the regicides. He was a man of unlimited energy and of endless persistency. He had by nature a mind of intense activity and intense subtility. He was quick to see a point and never failed

¹ N. Japikse, *De Verwikkelingen tusschen de Republiek en Engeland van 1660-1665*, Bijlage I.

² *Ibid.*, p. 193 and n. 2, with reference to the correspondence in the Rijksarchief, of the ambassadors in England with the griffier, April 22, 1661.

³ Russell (?) to Nicholas (?), December 20, 1660. *Calendar of State Papers, Domestic, 1660-1661*, p. 420.

⁴ Downing to Clarendon, October 21, 1661. Clarendon MSS., vol. 105, f. 71. Bodleian Library.

to get all the advantage possible out of it. He was extremely skilful in making the worse appear the better reason. Finally, he was quite unscrupulous. He had added to his natural endowment in craft and cunning by a long experience as Scout-Master General in Cromwell's army. In that capacity he had devoted himself to the business of hiring and training spies, and to the securing of information by bribes, cajolery, threats, and violence. In this occupation he became thoroughly versed in the knowledge both of the weak and of the evil sides of human nature and of the motives which would most effectually appeal to weak and evil men. He was quick to read character. Above all, he was a past-master in the arts of corruption. He seems never to have met a man without at once making a mental note as to his price.

The reasons determining the states of the Netherlands in their policy of not lending assistance toward the apprehension of the regicides were the following: the provinces were known to be a refuge for all political offenders; it had always been the custom in the Netherlands that such offenders should not be molested. Indeed, they had lately refused the arrest, not to say the extradition, of certain Frenchmen, who had been adjudged to death in France, and application for whose arrest had been made by Louis XIV.;⁵ moreover, if the states should consent to such seizures, they felt bound beforehand to issue a proclamation warning the fugitives of their danger; again, there was no treaty with England by which that state could demand the arrest and extradition of fugitives from its justice. Of course all these considerations might be brushed aside, and in spite of them Holland might take the action desired by Downing. But this no one expected would be done. The regicides were therefore justified in believing themselves safe within its boundaries. Their surrender under the circumstances would be a humiliation to the Dutch and a breach of confidence towards the fugitives. It must be added that even if the state were willing to give them up, there would still be a considerable difficulty in doing so, because they had a large number of friends in the Netherlands, both Dutch and English, who were constantly on the watch to forewarn them in case any attempt was made to seize them.

Downing might well consider the obstacles in his way insuperable. But he was not a man to believe anything he wished impossible, and as soon as he arrived in the Hague, in June, 1661, he began to search out the places where the fugitives lay hidden. He

⁵ Aitzema, *Saken van Staet en Oorlogh* (folio ed.), IV, 896. Downing writing to Clarendon, August 12, 1661, says that the states had twice denied a request for a warrant for arresting political prisoners. Clarendon MSS., vol. 104, f. 228.

immediately discovered that Rotterdam was full of disaffected Englishmen and that the regicides were frequently there.⁶ He had been in the Netherlands only a month when he wrote Clarendon that he had hopes of catching some of them, but was troubled as to the best method of proceeding. He feared that if he applied to the Estates of Holland for a warrant for their arrest, the fact would become known to the regicides before the warrant could be served. He would therefore prefer to seize them without a warrant and ship them off to England. He wished, however, to have exact instructions from the home government before using violent and illegal means.⁷ This was Downing through and through. He was always for striking first and explaining afterwards. And he was always careful to be quite safe himself. He did not intend to do the king a great service and then find himself repudiated. The only legal method was to secure a warrant before proceeding against the regicides. But he preferred to kidnap, because he was convinced that this was the only certain method. Such a procedure would be a violation of Dutch law, but he cared nothing for that provided he attained his object. Moreover, he had a sovereign contempt for Dutch unreadiness to resent an insult.

His next letter, however, showed that he had returned to the idea of securing a warrant, and that he found difficulties even in the way of doing that. He wrote that he had spoken to de Witt about "a dormant order, to apprehend any of the excepted persons". That is, he wished a blank warrant which would permit him to seize upon any of the regicides. This was something he could not reasonably expect. De Witt at first said that it could not be done until the treaty between England and the Netherlands was concluded; he then admitted that it might be done without the treaty but only "by order of the states of Holland". Downing says that he asked de Witt's opinion in case he should seize the regicides without getting a warrant, and that de Witt answered that it would be the "surest way".⁸

Downing was now accurately informed as to the whereabouts of a number of the fugitives. Edward Dendy was at Rotterdam; John Okey and some others at Strassburg. John Hewson lay sick at Amsterdam, but was intending for Strassburg as soon as he recovered.⁹ Clarendon replied encouragingly, telling him that he was

⁶ Downing to Clarendon, June 6/16, 1661, and June 14/24, 1661. Japikse, p. 194, and Lister, *Life and Administration of Edward, first Earl of Clarendon*, III. 144.

⁷ Downing to Clarendon, July 8, 1661. Lister, *Clarendon*, III. 151-152.

⁸ Downing to Clarendon, July 15, 1661. Lister, III. 155.

⁹ *Ibid.*

to do all he could "to lay hands upon the rogues",¹⁰ but he sent no precise orders, without which Downing did not dare to carry out his kidnapping plans. He wrote again on July 22, expressing his disappointment at not receiving directions as to what he "was to do in the case of Dendy and Hewson",¹¹ Clarendon then notified him that Sir William Davidson, who had made the futile attempt of the previous December, had written that several of the "rogues" were lurking at Amsterdam, and that he had referred Davidson to Downing for advice. "Trust him well", he added, "for he can do great service."¹² Downing again demanded Clarendon's "particular directions", pointing out, as before, the probability that if he proceeded by getting a warrant from the Estates of Holland the fugitives would get wind of it, and be off before he could take them. He again suggested that he should seize them without first getting a warrant, but in that case he desired to have an assistant of great courage and daring. He asked for the aid of a certain Colonel Griffith, then in London, who appears to have been particularly recommended by Clarendon. In any case, if the kidnapping was to be done, he must have an order under the king's hand. He also wished a man-of-war placed at his disposition so that he could send off his captives as soon as he had taken them. He thought that he would be able to seize Dendy, though none of the others at that time.¹³

He then proceeded in his attempt to seize Dendy. First he interviewed several English officers in the military service of Holland to see if any of them would make the arrest without a warrant. None of them would, however. He was compelled to admit that they were justified in their refusal, because if any of them should attempt it in any of the towns, they would be pulled to pieces by the populace. This project having failed, he applied for an order from the Estates of Holland, though without much hope of being able to execute it. He went to de Witt, and asked him to remember his previous promise to assist him in procuring the order. But de Witt, to his embarrassment, denied that he had ever given such a promise, and absolutely refused to have anything to do with the matter. Hereupon Downing went to Admiral Opdam, and prevailed upon him to present to the Estates Downing's memorial soliciting the order for the arrest of Dendy. He expected a refusal, because the

¹⁰ Clarendon to Downing, July 19, 1661. British Museum, Add. MSS. 22919, f. 158.

¹¹ Downing to Clarendon, July 22, 1661. Clarendon MSS., vol. 104, f. 185.

¹² Clarendon to Downing, July 26, 1661. *Ibid.*, f. 7.

¹³ Downing to Clarendon, July 29, 1661. *Ibid.*, f. 200.

Estates had twice declined to grant a similar request of the King of France. But he says he so laid down the law to them that they yielded. All his efforts were thwarted, however, by de Witt's method of managing the business in the Estates. He raised objections against the granting of the order, and after it was granted, despite a promise to Downing to forward it immediately, delayed its transmission until the next day at noon.¹⁴ Moreover, the Estates had insisted on having the name of Dendy inserted in the warrant.¹⁵ The insertion of the name and the delay gave Dendy's friends an opportunity to warn him. He was notified by one of the magistrates of Rotterdam that a warrant was out for his arrest and that he would do well to leave the place at once, which he did.¹⁶

The result fortified Downing in his conviction that it was useless to attempt to do anything by getting a warrant, and he busied himself to contrive some other means of laying hands on his prey. Davidson advised him that Dendy had fled to Amsterdam, and Downing had an interview with the canny Scot as to the best way to proceed. They agreed that this would be to arrest the fugitives at Amsterdam on a charge of debt. Once arrested, Downing would transport them to England, and believed that no one would dare to interfere. So he gave Davidson a warrant under his own hand for the arrest of several of them on a charge of owing a sum of 200,000 guilders. It was the best project he could conceive, and if Davidson's information was correct, he believed it must succeed.¹⁷ Clarendon sympathized with him in his failure to catch Dendy, but assured him that he did "not know that you could do more then you did". He agreed that the way of proceeding by warrant was unlikely to succeed, and approved heartily of the new plan.¹⁸

The well-laid scheme miscarried however. When Davidson returned to Amsterdam after his conference with Downing, he found that the "rogues" had all gone out of town. He expected them back soon however.¹⁹ But the fugitives had been alarmed by the

¹⁴ Downing to Clarendon, August 12, 1661. *Ibid.*, ff. 227-228. He encloses a copy of his memorial, dated August 6. *Ibid.*, f. 216.

¹⁵ See the resolution demanding the name in *Secrete Resolutien van Holland en Westvriesland*, II. 320-321; also the warrant, with space left for insertion of the name, *ibid.*, p. 321; both dated August 6, 1661.

¹⁶ Deposition of Isaac Thompson, of Rotterdam, August 11, 1661. Clarendon MSS., vol. 104, f. 214.

¹⁷ Downing to Clarendon, August 19, 1661. *Ibid.*, f. 237. "Once arrested", says Downing, "then I would see who would then dare let them go."

¹⁸ Clarendon to Downing, August 16, 1661. Lister, III. 168-169. The date must be old style.

¹⁹ Davidson to Downing, August 25, 1661. Clarendon MSS., vol. 104, f. 238.

attempt on Dendy, and kept continually on the move.²⁰ In September Davidson sent word that "Dendy and two more of them" were back in Amsterdam, and Downing forwarded him the original warrant for the arrest of Dendy.²¹ Davidson was unable to serve it, however, and the disappointed diplomat again demanded the aid of Griffith, "to hunt them, or money to employ some other in that kinde if I can find out any who can be so proper for it".²² Davidson seemed to despair of success, and since they could not take any of the living, he suggested that they might avenge themselves on the dead. Hewson had died recently at Amsterdam, and the Scot thought it would be some satisfaction to tear his body out of its grave and dispatch it for England.²³ Downing thought this ghoulis suggestion worthy to be transmitted to Clarendon, and asked for his "Lordship's mind" as to it.²⁴ Clarendon could hardly have had any objection to the desecration of Hewson's grave and the mutilation of his remains, but to secure these objects would have been expensive and might have caused trouble with Holland. Apparently he had nothing to say in answer to the suggestion, or if he made any response it must have been unfavorable.

Downing soon had renewed hope. A fortnight after his despairing letter, he had made new discoveries that promised well. He was now informed that the regicides Corbet and Holland lived together, that their customary residence was in Zwolle or Campen, but that at times they visited Amsterdam, Delft, and other Dutch cities. Better still, he had ferreted out the agent at Delft who had charge of their affairs. This was one Abraham Kick, an Englishman, who conveyed to the fugitives "both their letters and money". With his usual promptness, Downing secured an interview with this man, measured his character at a glance, and attacked him on that side which his long experience told him was least able to bear a strain. He offered Abraham £200 a head for as many regicides as he could betray into his hands, besides a few other coveted favors. Then, to add wings to Kick's zeal, he threatened him with absolute

²⁰ "They are perpetually changing their abode else that way we agreed would and will take them." Downing to Clarendon, September 2, 1661. Clarendon MSS., vol. 105, f. 18. "For the murderers nothing protects them here but their continuall removeings from place to place, never being two nights in a place." Same to same, September 16, 1661. *Ibid.*, f. 37.

²¹ Downing to Clarendon, September 9, 1661. *Ibid.*, f. 26.

²² Same to same, September 16, 1661. *Ibid.*, f. 37.

²³ "That roge Hewson the Cobeler his seafft us a truble, he being deade, and was this weeke buried heere, as I am informed. . . . Seing we could not gett him apprehended in his lifetime, methinckes giff you ples under Correctione, that you may gett him taene out of his grave and send him for England." Davidson to Downing, September 22, 1661. Clarendon MSS., vol. 105, f. 52.

²⁴ Downing to Clarendon, September 23, 1661. *Ibid.*, f. 50.

ruin if he did not comply.²⁵ Kick was amenable to the law of England for having assisted the criminals, and though he might be safe in Holland he could never return home, and even in Holland, Downing's influence might be sufficient to compass the ruin he threatened. Urged forward by avarice and fear, Kick yielded and henceforth exhibited zeal and devotion in performing his odious task.

Downing had to leave for Cleves immediately after making his arrangements with Kick, but he secured the promise of a certain Major Miles, an officer in one of the English regiments in the Dutch service, that he would seize the regicides if they came to Delft in the ambassador's absence. Kick was to give instant warning to the major if the regicides appeared. But here Downing suffered a disappointment which a man with a keener sense of honor would have foreseen intuitively. Men like Miles had no fancy for the job. They felt that it was dirty business, unfit for a gentleman to engage in. Kick came to the Hague during Downing's absence, apprized Miles that the fugitives were in Delft, and offered to lead him to the house in which they were lodging. Miles excused himself on the ground of being too ill to go, and thus the opportunity was lost, much to Downing's sorrow and disgust. He credited Miles's unwillingness to the fact that he was in the pay of the Dutch, and therefore might lose his position if he engaged in an illegal act. He was sure that if Colonel Griffith or "any such that had had no dependence heer" had been at hand, the business would have been done. But "it shall go hard but I will catch some of them".²⁶

He now redoubled his pleadings with Clarendon to lend some efficient assistance. In November, he "would to God the King would send some hither to see to the execution" of the business. Kick had informed him of the exact house in Campen in which Holland dwelt, and "to have this particular and punctuall Intelligence and yet not to be able to take him doth very much trouble me". Kick had also told him that Barkstead, Okey, and Walton were living near Frankfort. Downing despaired of being able to seize them, but he suggested another device which would serve quite as satisfactorily. "What if the King should authorize and send some trusty persons to kill them prey upon the whole lett me have the King's serious thoughts and directions about this business."²⁷

In answer to this letter Clarendon at last sent over the redoubt-

²⁵ Downing to Clarendon, October 4, 1661. *Ibid.*, ff. 64-65.

²⁶ Downing to Clarendon, October 21, 1661. *Ibid.*, f. 71.

²⁷ Downing to Clarendon, November 11, 1661. *Ibid.*, ff. 100-101.

able and long-desired Colonel Griffith to carry through the job. "I am hartily glad that hee is come", wrote Downing, "for I fynd him reall."²⁸ Things now moved apace. Three weeks after Griffith's arrival, Kick sent to Downing a letter from Barkstead then at Frankfort.²⁹ It is a piteous epistle viewed in the light of after events, though undoubtedly Downing gloated over it. Barkstead addresses Kick as "My reall freind" and tells the treacherous scoundrel that he has ordered a "trunk wth cloathes", sent from England by his wife, to be delivered to Kick. He adds "myself and Mr. Williamson [a pseudonym for Okey] intend to be wth you about the latter end of ffebruery or the begining of March and hope then to meet or wives wth you, they have promised us in part."³⁰ Downing urged Clarendon to give specific instructions to Griffith for the capture of the two when they visited Holland in the spring.³¹ Unfortunately for this plan, difficulty now arose with Griffith. That bold gentleman insisted on returning to London to talk the matter over with Clarendon. Downing strove to persuade him to remain in the Hague, "but he had no mind" to go forward with the affair, "till he had spoken wth yr Lordship". Apparently the dare-devil soldier had concluded that the work was not fit for a gentleman. However, he promised Downing to return in two weeks,³² then departed, and never reappeared.

Meanwhile Kick had received another letter from Barkstead who commissioned him to discover if there was any danger in his and Okey's coming to Holland. This he brought to Downing, and was instructed to send back word that the envoy had no order to apprehend or molest them, and "that they might be as free and safe there as himself".³³

Downing, having lost Griffith, now consulted Colonel Killegrew,

²⁸ Downing to Clarendon, December 9, 1661. Clarendon MSS., vol. 105, f. 169.

²⁹ Same to same, January 13, 1662. Clarendon MSS., vol. 106, f. 43.

³⁰ Copy of letter in Downing's hand in Clarendon MSS., vol. 106. Dated December 24/January 3, 1661/2. The letter is enclosed in Downing's of January 13.

³¹ Downing to Clarendon, January 13, 1662. *Ibid.*, f. 43.

³² Same to same, January 27, 1662. *Ibid.*, f. 67.

³³ "Kick hath this weeke received another letter from Baxter wherein he still assures him, of his intentions of coming hither wth his friends in the spring, to meete their Wives here from England and desires to be informed by him, if there should be any thing of danger." Downing to Clarendon, January 27, 1662. *Ibid.*, f. 69. That Downing sent an answer is evident from the report of the friends of the regicides. They say that a friend was particularly engaged by Okey to acquaint Sir George Downing with their intentions in case he had no order from the king to seize them. Downing assured him he had no order to apprehend or molest them, but "that they might be as free and safe there as himself". The *Speeches, Discourses and Prayers of Col. John Barkstead, Col. John Okey, and Mr. Miles Corbet*, Thomason Tracts, 1416 C. 30. The tract says that Okey sent word. Downing says Barkstead. Undoubtedly the point about using Okey's name lay in the fact that he had been Downing's patron and benefactor.

head of one of the English regiments in the Dutch service. He brought Kick and Killegrew to an interview. Killegrew advised against attempting anything without a warrant from the Estates of Holland. He declared "absolutely that no man dares to undertake it without an order and that if any shold that the Burgers would knock them on the head". This put poor Downing "into a very greate difficulty", for if he should undertake the task of seizing them without a warrant, and without an order from the king, and any harm should befall, he feared that the king would take it ill. "I would to God", he cries, "Griffith had kept his word or at least that I had his Ma^{ties} expresse order which of these 2 wayes to take."³⁴ His uncertainty did not last long. Killegrew's assurances that nothing could be done without a warrant from the Estates of Holland decided him to give up his kidnapping programme, and to depend upon legal means, however hopeless they might seem.³⁵

Barkstead and Okey reached Delft in the first weeks of March and went directly to the trusted Kick. The poor wretches engaged Kick, in whom their confidence was unlimited, "to goe wth this packet for England for their wives". Meanwhile they would lodge with him for the two nights before his departure on that errand. Downing determined to apply for a warrant from the Estates of Holland, and then without a moment's delay to go himself and superintend the arrest, having at last concluded that it was vain to depend on anyone else to do the work. He resolved to take with him Major Miles and any other English officers whom he could engage and enough people from his own household to make the arrest without the assistance of the local authorities, in case they should be unwilling to serve the warrant. Kick had brought the news on Tuesday, the 14th of March, and Downing at once set Thursday evening for the capture, and nine o'clock as the hour. He instructed Kick to invite Miles Corbet, another of the regicides then in Delft, to come to his house that evening to take supper with Okey and Barkstead, so that he might catch all three at the same time.³⁶

Every step he took evidences his extreme cunning and ability. He waited until the last moment before applying for the order from

³⁴ Downing to Clarendon, February 28/March 10, 1661/2. Clarendon MSS., vol. 106, f. 114. Clarendon seems to have found fault with Downing for interviewing Killegrew about the matter, apparently thinking that the ambassador was attempting to get Killegrew to undertake the kidnapping. Downing at least writes that he had no intention of engaging Killegrew except for advice. To Clarendon, March 7/17, 1661/2. *Ibid.*, f. 122.

³⁵ Same to same. *Ibid.*

³⁶ Downing to Clarendon, March 7/17, 1661/2. *Ibid.*, f. 122.

the Estates, in order that the chances of warning being given to the regicides should be reduced to the minimum. On Thursday afternoon about half-past two, he applied to de Witt at the latter's house. He told that gentleman that now he had an opportunity to do the King of England a most "acceptable kindness" by procuring for him an order from the Estates of Holland for the arrest of three regicides. The order must be in Downing's hands before seven o'clock that evening, however, or it would be of no value. To make discovery still more difficult, Downing did not inform de Witt either as to the names of the persons to be arrested or as to their place of abode. De Witt, who was very anxious to secure good terms in the treaty then being negotiated between the provinces and England, was probably influenced by this consideration to go farther than he had ever gone before,³⁷ and so without getting the names of persons or place, he undertook to procure the warrant. Downing then returned home, and wrote out a request to the Estates for the grant of the warrant, and sent this to de Witt, who presented it to the Estates at six in the evening. The Estates, not having the names, were compelled to issue the warrant in blank, but with the condition that de Witt should procure the names and have them inserted before delivering the warrant to Downing, "for they would not trust me with a blank order". They neglected, however, to ask for the name of the place in which the warrant was to be executed. De Witt notified Downing that he must have the names of the persons, and Downing sent his secretary with the information. De Witt inserted the names in the warrant "with his own hand", and then gave the document to Downing's secretary, who at once carried it to his master.³⁸ Probably de Witt and the Estates never dreamed that the warrant could be served that evening, and were confident that by morning everyone in the Hague would know the names of the fugitives, and these would receive timely warning.

If such was their calculation, they reckoned without their host, for Delft is only a short four miles from the Hague and Downing's plans were all laid for immediate seizure. Major Miles and two other English officers were already at his house, and calling to his assistance a number of his own employees at the embassy he

³⁷ Downing's argument about doing the king an acceptable service is itself testimony to Downing's belief that this would appeal to de Witt. "Dat het den Koningh aengenaem, ende aen de Tractaten vorderlijck soude sijn." Aitzema, IV. 896. Aitzema is presenting this as an argument of Downing's. "En Hollande on fist au delà de ce qu'on devoit, pour tascher de s'acquérir l'amitié du Roy par une complaisance basse et indigne d'un Estat Souverain." A. de Wicquefort, *Histoire des Provinces Unies des Pais Bas* (van Buren's ed.), III. 76.

³⁸ Downing to Clarendon, March 7/17, 1661/2. Clarendon MSS., vol. 106, f. 123.

hastened to Delft by boat, starting at about half-past seven. He reached Delft in good time and disposed of his men in the New Church yard, each man by himself, so that no suspicions might be aroused by seeing so many together. He and Miles then hurried off to the bailiff³⁹ of Delft, whose business it was to see the warrant executed. As he expected, the bailiff made difficulties, but finally sent Downing and Miles to the under-bailiff⁴⁰ who should see the order served. The under-bailiff seemed to have no more stomach for the job than his superior. However, he sent out for his police. But none of these officers could be found. Downing was on pins and needles, for fear that Corbet would have returned to his lodgings, and so would escape. He urged the under-bailiff to delay no longer, telling him that his men were not needed, since he himself had force enough at hand to make the arrest. At the same time he offered to pay him well for his trouble, being confident that a petty official would not be inaccessible to a bribe, especially when it was given as payment for doing his duty. The underling at once yielded. Downing collected his men from the churchyard, and under the lead of Miles they hurried off to Kick's house. Miles knocked and Kick himself came to the door. The crowd rushed in tumultuously and found the three men sitting before an open fire, smoking a friendly pipe of tobacco. Downing was just in time, for Corbet's lantern had been lighted, and in a moment he would have been off for home. The regicides sprang up at the sudden onslaught and rushed for their weapons, which they had left in another room. But the wily Kick had taken the precaution to lock the door of this room, and the poor wretches were overpowered without having the meagre consolation of defending themselves. The under-bailiff had now found his police and they came in and manacled the prisoners, "and so in the still of the night", says Downing complacently, "carried them to the prison where I took care that they were forthwith putt each into a sevrall roome and that no body shold come to speak wth them".⁴¹

Thus the first step in the well-laid plan had succeeded beyond the expectation of everyone excepting Downing. The men were caged. But the affair was by no means concluded with the successful arrest. Downing must now secure an order for their delivery to him. That very night he hastened back to the Hague, and the next morning he was at de Witt again to procure a second order from the Estates instructing the authorities of Delft to deliver the

³⁹ Schout.

⁴⁰ Onderschout.

⁴¹ Downing to Clarendon, March 7/17, 1661/2. Clarendon MSS., vol. 106, f. 123.

captives to him for their extradition to England. He also sent word to an English frigate then in harbor at Helvoetsluys to remain there to receive the prisoners.⁴² De Witt could hardly refuse to get the second order, after having procured the first, so Downing's request was complied with, though the Estates of Holland found many excellent reasons why it should not be.⁴³ No sooner had Downing received this order, than he notified the bailiff of Delft, and the next day he rushed back to that town and delivered it to the bailiff. This official had no desire to give up the prisoners, and he at once objected that the order was addressed to him and the aldermen⁴⁴ and that he must consult them before taking any action. He would call them together, but the meeting could not be held before two in the afternoon. Downing said very well, he would wait. At two the aldermen met, but they pleaded that there was to be a funeral of importance that afternoon which they must attend. Consequently they could transact no business until after that event. But they would meet again at seven in the evening. They also called Downing's attention to the fact that by the terms of the order from the Estates they were to be satisfied that the men were the men named in the warrant.

Downing was annoyed, and complained to the bailiff of these pretexts, as he considered them. He said that he knew that the bailiff and aldermen had already twice visited the prisoners, and had been satisfied that they were the men named in the warrant. The bailiff was compelled to admit it. Having got this admission, Downing then offered the bailiff a bribe. He had made inquiries about the man, and had been told that he "was one that would do nothing without mony". So he promised him a reward if he would be true to his trust until the prisoners were in Downing's hands.⁴⁵ The bailiff was thus won. The aldermen met again at seven, but found that not enough of them were present to transact such important business. They promised that they would meet the next day at 11 o'clock.⁴⁶ This confirmed Downing's suspicion that they intended to find some pretext for releasing the prisoners. He

⁴² Same letter. Clarendon MSS., vol. 106, f. 124.

⁴³ Aitzema, IV. 896. After giving the various arguments against the surrender, Aitzema concludes, "Maer alles wel overleght, is raedtsaem gevonden de selve t'extraderen aen de Heer Downingh".

⁴⁴ Schepenen.

⁴⁵ Downing to Clarendon, March 13/23, 1661/2. Clarendon MSS., vol. 106, f. 130.

⁴⁶ "They could not make their full number at that time wch they desired to have in a matter of that importance, but that without fayle they would meet the next day being Sunday at 11 of the Clocke after sermon and would then send me their answer by a servt of their owne." Same to same. *Ibid.*, f. 131.

trusted however that his promise to the bailiff would serve to engage that gentleman to keep the prisoners safe until he could discover some other expedient for getting them into his hands.

Meanwhile he was driven frantic by the efforts made to secure the release of the regicides. The bailiff himself assured Downing that he feared lest the "common people might go about to force the prison and let them out".⁴⁷ The magistrates of Amsterdam sent a message to those of Delft urging them to "let the Gates of the prison be opened and so let them escape".⁴⁸ Then the authorities of Delft made an effort to secure counsel for the regicides. At the request of the prisoners they summoned Kick to their presence and ordered him to go to the Hague to procure the services of "a very able Advocate" of that place. Kick, of course, went instantly to Downing. The ambassador, having heard the name of the lawyer, recognized it as that of a man who had held King Charles's commission in Holland as royal advocate during the interregnum. The man still held the commission, though he had no benefit from it. Nevertheless, the situation furnished him with a motive for coming to Downing for advice before acting. Downing, therefore, did not hesitate a moment to send Kick to the advocate with the message of the Delft authorities. As he expected, the lawyer came at once to him for advice. Downing asked him if it was customary for the authorities to secure counsel for prisoners, to which the advocate replied in the negative, and added that he gathered from the fact that he had been summoned that the authorities of Delft did not intend to surrender the prisoners. Downing then advised him to go to Delft at once, but instead of giving aid to the prisoners, he should warn his friends there "to have a care" not to assist the prisoners or let them escape, "wch accordingly he did very faithfully".⁴⁹

Thus the regicides' hope of securing legal advice was thwarted, and the man whom they had counted upon to advocate their cause was particularly efficient in hindering them from receiving legal assistance. So vanished the most hopeful means of their securing their release, for the arguments in law for their discharge were so good that one of two things must have happened. Either they would have been at once set free, or so long a delay would have been interposed that popular sentiment would have made impossible their delivery to Downing. But even now the danger was by no means over. Two wealthy Englishmen came to Delft and offered large bribes to the bailiff and under-bailiff if they would let the

⁴⁷ Downing to Clarendon, March 14/24, 1661/2. *Ibid.*, f. 138.

⁴⁸ Same to same, March 21/31, 1661/2. *Ibid.*, f. 152.

⁴⁹ Same to same, March 13/23, 1661/2. *Ibid.*, f. 132.

prisoners go. To circumvent this attempt Downing forthwith sent his secretary and another of his servants to remain night and day in the prison.⁵⁰ He got them placed in a room next to that containing the regicides, so that they could look in upon them at any time and see that they did not disappear.⁵¹ He also bribed all the watchmen and police of the town, so that they would be faithful in case of a popular rising to liberate the prisoners.⁵²

Meanwhile the aldermen had held their Sunday session, but instead of voting to hand the miscreants over to Downing, they determined to send off a letter to the Estates of Holland pleading for the liberation of the prisoners. As soon as Downing learned this, he hastened off to de Witt and told him that "the Estates were now too farr engaged to retnet and that this delatory bogging did spoyle all the grace of the busines". He requested that another order for the delivery of the prisoners should be given him, addressed solely to the bailiff, seeing that the aldermen would in all probability never consent to surrender them, whereas he was confident that the bailiff would stick in order to secure his reward. De Witt seems to have been convinced by his argument that having gone thus far the authorities could not refuse to go farther. He promised Downing that when the letter of the aldermen on behalf of the prisoners was read, he would see the matter through the Estates. But he must wait another day before this could be done, because the Estates would not meet sooner.⁵³ This was agonizing, for the prisoners were now creating a party in their favor among the members of the government. Moreover, the people of the country as well as many English men and women from Rotterdam were petitioning the Estates on their behalf,⁵⁴ and the Dutch lawyers "universally declared that it was against all right and reason" that the prisoners should be delivered to Downing.⁵⁵

Meanwhile many Dutch notables visited the prison and heard the regicides' defense. These tried to arouse sympathy by asserting that they were Presbyterians; that they had taken arms in the late war simply to overthrow the bishops; that they were not regicides; that they had understood that Holland was a free country into which any man might come; that there was no proclamation forbidding their coming there, as in all honor there should have been if the

⁵⁰ Downing to Clarendon, March 13/23, 1661/2. Clarendon MSS., vol. 106, f. 132.

⁵¹ Same to same. *Ibid.*, f. 134.

⁵² Same to same; *ibid.*, f. 133. March 14/24; *ibid.*, f. 136.

⁵³ Same to same, March 13/23, 1661/2. *Ibid.*, ff. 132-133.

⁵⁴ Same to same, March 14/24. *Ibid.*, ff. 136 and 138. See a petition of this sort in Aitzema, IV. 897.

⁵⁵ Downing to Clarendon, March 14/24, 1661/2. Clarendon MSS., vol. 106, f. 138.

country was not free to them ; that they came with the intention of laying out ten thousand pounds to establish cloth manufactures among the Dutch.⁵⁶ In addition Okey and Barkstead exhibited letters under the seal of Hanau showing that they were citizens of that city.⁵⁷ They therefore besought that they should be released. The notables expressed their sympathy with the prisoners and promised that they would do all in their power to assist them.⁵⁸ Meanwhile crowds of people came with the notables, and as these would not allow the doors of the prison to be closed while they were present, Downing's servants were in an agony of fear lest the prisoners should escape.⁵⁹ On this Downing redoubled his precautions, sent more men to assist in watching the prisoners, and instructed his secretary not to be sparing in his largesses to the lower officials, and to reassure the bailiff in regard to the reward that was coming to him. On that night, Tuesday the 21st of March, a last desperate attempt seems to have been made to secure the liberation of the regicides. The under-bailiff tried to compel Downing's watchers to vacate the room in which they had hitherto held their guard and to remove to another room from which they could not look in upon the prisoners. No doubt the under-bailiff would then have permitted them to escape. An appeal to the bailiff thwarted this scheme, he ordering that the watchers should stay where they were, and sending one of his own people to remain at the prison and see that the order was obeyed.⁶⁰

On the day that this last feeble attempt was made, the letter from the aldermen of Delft to the Estates of Holland was read in the Estates and de Witt fulfilled his promise to Downing. Instead of giving ear to the prayer of the aldermen in behalf of the prisoners, the Estates granted another order for their delivery to Downing. This time they directed it to the bailiff alone.⁶¹ This would assure obedience to the order. Armed with this authority, Downing hastened once more to Delft resolved that "no other trick" should be put upon him. He handed the order to the bailiff, who at once agreed to execute it.⁶² Downing had procured from the English frigate two officers and a guard of sailors, de Witt having assured

⁵⁶ Same to same, March 13/23, 1661/2; *ibid.*, f. 133. March 14/24; *ibid.*, f. 136.

⁵⁷ Same to same, March 14/24, 1661/2. *Ibid.*, f. 139.

⁵⁸ Same to same, March 13/23, 1661/2. *Ibid.*, f. 133.

⁵⁹ *Ibid.*

⁶⁰ Downing to Clarendon, March 13/23, 1661/2. *Ibid.*, f. 134.

⁶¹ Same to same. *Ibid.*, f. 133.

⁶² Same to same. *Ibid.*, ff. 133 and 135.

him that no assistance would be afforded by Dutch officials, once the prisoners were surrendered to him.⁶³

There still remained the problem of getting the prisoners out of the jail and on board the frigate without giving rise to a riot in the town. The Estates, in granting the last order to Downing, had desired him to have it executed with "all possible speed", fearing that there might otherwise be forcible opposition to the measure.⁶⁴ The bailiff assured Downing that he apprehended there would be a rising "if there were but the least notice of an intention to carry them away". After an anxious discussion, Downing

resolved in the dead of the night to get a boate into a litle channell which came neare behinde the prison, and at the very first dawning of the day without so much as giving any notice to the seamen I had provided . . . forthwith to slip them downe the backstaires . . . and so accordingly we did, and there was not the least notice in the Towne thereof, and before 5 in the morning the boate was without the Porto of Delft, where I delivered them to Mr. Armerer . . . giving him direction not to put them a shoare in any place, but to go the whole way by water to the Blackamore Frigat at Helverdsluice.⁶⁵

The plan was carried out to the last detail, and Downing had reason to congratulate himself upon his precautions, for he was told the next day that "those of Delft say down right that if they had known wn they had been taken away a piece of paper meaning the Estates order shold not have taken them away".⁶⁶ But then it was too late. Downing had worked his will. Having delivered the prisoners to Armourer, he sat down at once and wrote the account of his triumph to Clarendon, from Delft at four o'clock in the morning of March 23, 1661. While he enlarged on his merits to the chancellor, the hunted wretches, who had made their long, arduous, and perilous trip from Germany to see the faces of their wives after long and bitter separation, were carried slowly through the canals of Holland in the chilly air of an early March morning, put aboard the *Blackamoor*, carried to England, and a few weeks later executed with all the indignities and horrors which English law then visited upon traitors.

The event surprised and astonished everybody. Such a thing had never been done before in Holland, Downing proudly declared.

⁶³ Downing to Clarendon. Clarendon MSS., vol. 106, ff. 133 and 134.

⁶⁴ Same to same, March 14/24, 1661/2. *Ibid.*, f. 138.

⁶⁵ Same to same. *Ibid.*

⁶⁶ Same to same, March 21/31, 1661/2. *Ibid.*, f. 153.

and "no body believed was possible to be done".⁶⁷ The testimony of the contemporary Dutch historians is to the same effect.⁶⁸ It is altogether probable that de Witt and his supporters had no idea that the thing could be done. The bailiff of Delft asserted to Downing that he had trapped the gentlemen of the Estates: "had they imagined you could have taken them they would never have given you an order to do it".⁶⁹ Moreover, the Estates probably thought that if worst came to worst, the people of the country were so bitterly opposed to the surrender that they would hinder it. Undoubtedly there was justification for such an opinion. Certain it is that the Dutch felt humiliated at the success of Downing's plans. They say, said Downing, that Holland is "no longer a free Countrey, and that no man is now sure here".⁷⁰

The Dutch were depressed, but the English Royalists were elated. The king himself wrote Downing a "most gracious" letter. The gratified recipient answered in an epistle which reveals his fawning and servile nature in every line.⁷¹ Clarendon also wrote praising him: "You did never any thing more advantageous to your selfe and your reputation then your conduct of this last businesse."⁷² Secre-

⁶⁷ Same to same, March 7/17, 1661/2. *Ibid.*, f. 124. Again, "Every one is astonished that I shold carry it through there having been no proclamation to forbid these people this Countrey nor any Treaty wth his Majty that obligeth them to deliver them." March 13/23. *Ibid.*, f. 130.

⁶⁸ Aitzema, IV. 896, says of the Estates after the arrest, "Men was in der daedt gesurpreneert, ende als beschaemt; ende hadde wel gewilt datse duysent mijl van hier waren." Wicquefort (ed. van Buren), III. 77, says, "Ceux qui avoient le plus contribué à faire prendre une resolution si prejudiciable à l'honneur de la Province, et qui devoit faire exemple, firent bien les estonnés."

⁶⁹ "Mr. vous avez attrappéz Messrs. les Etats." Downing to Clarendon, March 21/31, 1661/2. Clarendon MSS., vol. 106, ff. 152-153.

⁷⁰ "And there is not a thing that hath happened these many yeares that hath occasioned so much discourse here, saying that they are now no longer a free Countrey, and that no man is now sure here." Same to same. *Ibid.*, f. 152.

⁷¹ "What I have done is no more than my duty, and therefore had no reson to expect any acknowledgement therof, but to have it and that immediately from yrselve under yr owne hand and in such termes is a favour and honour altogether surprising and confounding, such as I could not in my whole life have hoped to have attained, nor can sufficiently admire and esteeme. I do from the day of the receipt thereof account myselfe perfectly and compleately happy, as having lived to see my King upon his Throne, and myselfe not only pardoned but received into his Grace employed and bestrusted by him and my poor endeavours thus accepted, And wt time more it shall please God to afford me in this world shall be no other than a continuall reall sacrifice of thanksgiving, joyned wth a redowbled inflamed zeale to the last moment more and more to approve myselfe in all humility and faithfulnessse,

yr Majtyes most Loyall and
most obedient Subject
and servant

G. Downing."

Downing to the king, March 28/April 9, 1662. Clarendon MSS., vol. 106, f. 164.

⁷² Japikse, p. 197, n. 3.

tary Morice assured him, "Wee doe heere al magnify your diligence and prudente conduct in the seisinge and conveyinge over of the regicides, and we think few others would have used such dexterity or could have compassed so difficil a busines."⁷³ The voice of praise was not unanimous however. The friends of the regicides, while they admitted Downing's diligence and dexterity, had quite other thoughts about him. In a pamphlet written by some of them after the execution, they taunt him with his Judas-like betrayal of Okey, who they declare "gave him his first bread in England", raised him "from the dust", and "Cloathed and Fed" him "at his table" when he was nothing but a "New-England Tottered Chaplain".⁷⁴ What the world in general thought is well expressed by Pepys: "Though the action is good and of service to the King, yet he cannot with a good conscience do it." "All the world takes notice of him for a most ungrateful villaine for his pains."⁷⁵

De Witt, too, was thanked, both by Downing in the name of the king and in the name of Clarendon,⁷⁶ and again by Clarendon on behalf of the king.⁷⁷ The king, at Downing's suggestion,⁷⁸ sent a grateful letter to the Estates of Holland⁷⁹ and personally thanked the Dutch ambassadors then in England.⁸⁰ All these gentlemen must have received the gracious acknowledgments with wry faces and uneasy consciences, for it was and is the opinion of all fair-minded men that the government of Holland came out of the affair very badly. Ludlow, though not an impartial judge, expresses in his *Memoirs* the prevalent feeling. He says:

The most remarkable matter in the entire transaction [was] the barbarous part acted by the States in this conjuncture, who, tho' they . . . to that time had made it a fundamental maxim to receive and protect all

⁷³ Morice to Downing, March 21/31, 1661/2. Add. MSS., 22919, f. 203.

⁷⁴ *The Speeches, Discourses and Prayers of Col. John Barkstead, Col. John Okey, and Mr. Miles Corbet*, p. 3.

⁷⁵ *Diary and Correspondence of Samuel Pepys*, under dates of March 12 and 17, 1662.

⁷⁶ Downing to Clarendon, March 21/31, 1661/2. Clarendon MSS., vol. 106, f. 154.

⁷⁷ This is evident from de Witt's answer to Clarendon.

⁷⁸ Downing to Clarendon, March 13/23, 1661/2. Clarendon MSS., vol. 106, f. 134.

⁷⁹ "His Majesty hath sent his thanks to the States of Holland for the respect shovne to his Majesty in their ready assistance to apprehend and secure those 3 Regicides Miles Corbet, Okey and Barkstead now prisoners in the Tower of London." *Mercurius Publicus*, March 20-27, 1662, p. 184. See also Japikse, p. 198, n. 3.

⁸⁰ Ambassadors to de Witt, March 31, 1662. *Brieven, geschreven ende gewisselt tusschen de Herr Johan de Witt, ende de Gevolmaghtigten von den Staedt der Vereenigde Nederlanden*, vol. IV., p. 227.

those who should come among them; yet contrary to the principles of their government, and the interest of their Commonwealth, to say nothing of the laws of God, nature and nations, without any previous engagement to the Court of England, contributed as much as in them lay to the destruction of these gentlemen.⁸¹

That de Witt was ashamed of his part in the transaction is deducible from his behavior afterwards. He replied very coldly to Clarendon's letter conveying the king's thanks⁸² and in writing to the Dutch ambassadors disclaimed any merit in the affair, declaring that he had merely acted as the servant of the Estates of Holland. He also expressed the wish that the ambassadors had not mentioned his name in their letter to the Estates describing their interview with the king.⁸³

The members of the government of Holland also felt that they had acted badly, for many of them thought that a letter should be sent by the Estates to the king requesting leniency for the prisoners. One of the number came to Downing to confer with him as to the advisability of such action. His advice was that they sound the government in England before taking any such step, so as not to risk a rebuff.⁸⁴ De Witt thereupon made this suggestion to the Dutch ambassadors.⁸⁵ They replied that the king had expressed himself as exceedingly well satisfied with what had been done by the Estates in the arrest of the regicides. Also that the common speech in regard to the Dutch was favorably affected by the act. They were convinced that any intercession would be badly received and would destroy the excellent impression created by the arrest and extradition. As a consequence they had not thought it advisable to make any inquiries regarding the matter from anyone of credit.⁸⁶

⁸¹ *Memoirs* (ed. Firth), II. 331.

⁸² De Witt to Clarendon, April 11, 1662. *Documents Inédits: Mélange Historique; Choix de Documents*, I. 219. See the same letter in Wicquefort, III. 78; n. 3, dated as of April 21.

⁸³ De Witt to the ambassadors, April 7, 1662. *Brieven*, IV. 228-229.

⁸⁴ "I did forgett to give yr Lordp an account that the Estates of Holland had many of them a greate minde to have had a letter written in the Estates name, to his Maty on the behalfe of the 3 prisoners at least that they might not be executed but one of them coming to me to sound me about it I told him that they would do well to be very carefull how they ingaged themselves in that kinde, but he still pressing very earnestly that the Estates could not do lesse wth many arguments which are not worth troubling yor Lordp with, I told him that they should do well in the first place to let their Ambrs underhand sound some at Court, and then they being upon the place, would be able to give them good and true Counsell, and by this meanes I putt him off." Downing to Clarendon, March 28/April 7, 1662. Clarendon MSS., vol. 106, f. 169.

⁸⁵ De Witt to the ambassadors, March 24, 1662. *Brieven*, IV. 225, postscript.

⁸⁶ Ambassadors to de Witt, March 31, 1662. *Brieven*, IV. 227. The entire episode furnishes an excellent illustration of de Witt's cunning, subtle, and sub-

The Hollanders thus completed their record of baseness and timidity, and the last faint hope of the regicides vanished.

After thanks came the more substantial rewards. Downing asked for £1,200 as necessary to cover the expenses of the capture and extradition.⁸⁷ Kick was to receive £600 of this, besides the promise of His Majesty's pardon, and a waiter's place in the custom's house in some good port in England.⁸⁸ The bailiff was to have not less than 200 pieces.⁸⁹ The under-bailiff and lesser officers were also to be recompensed generously. The police and watchmen of the town of Delft had also received considerable sums. Major Miles was to have a piece of plate worth forty or fifty pounds, while the two other English officers who assisted in making the arrest were to be given better places.⁹⁰ Sir William Davidson was made the king's resident in the Netherlands for Scotland.⁹¹ Nor did Downing forget himself in his recommendations. He pressed for the fulfillment of a promise made to him of certain properties in the bishopric of Durham, and of a long lease of a house in what is now Downing Street.⁹² There was no denying the value

terrenean methods, by which in more than one instance he succeeded in overreaching himself. He always attempted to satisfy the wishes of everyone in appearance, and then thwart them by underhand dealings at the very moment they supposed themselves secure of their objects. When he attempted to employ this method with Downing, he found an adversary quite his overmatch in subtlety and cunning, as well as in decision and action.

⁸⁷ Downing to Clarendon, March 13/23, 1661/2; Clarendon MSS., vol. 106, f. 134. March 14/24; *ibid.*, 139.

⁸⁸ Same to same, March 7/17, 1661/2. *Ibid.*, f. 124.

⁸⁹ Same to same, March 13/23, 1661/2. *Ibid.*, f. 134.

⁹⁰ "Moreover, I must be generous to the Scout Under scout and his men and to the Officers of the prison, and I must pay for their carrying to the ship and give Lieut Willoughby and Lieut Ogle money to carry them for England. . . . I would out of that money bestow (if his Majesty thought fitt) upon Major Miles a piece of plate of about 40 or 50 pounds, and for these two Lieuts who come over with them if his Majesty would please to take notice of them as to some preferring at Dunkirk when it falls or as to some employment for Portugall." Downing to Clarendon, March 7/17, 1661/2. Clarendon MSS., vol. 106, f. 124.

⁹¹ Aitzema, IV. 898.

⁹² "I pray also that yr Lordship will pardon me if I putt you in mind that yr Lordship did give me a letter to Dr. Berwick the Deane of Durham that it was his Majties pleasure that I shold be considered as to my little pretension there but I had no benefitt thereby, and now there is another Deane and unless yr Lordship will be pleased of yrself to write effectually to him nothing will be done, when Dr. Berwick left that place he did putt him that succeeds in mind of yr Lordships Letter but nothing will come of it unless yr Lordship will be graciously pleased to make it yr Concern, also yr Lordship was pleased to move his Majesty as to my having a long lease of that howse in King Street in which Mrs. Hamden lives and his Majesty did in my hearing leave it to yr Lordship to see it done for me with my Lord Treasurer, but as yet there is not any progresse therein, I make bold humbly to putt yr Lordship in minde heereof, and that you will be pleased heerein to take care of me." Downing to Clarendon, March 21/31, 1661/2. Clarendon MSS., vol. 106, f. 153.

of his services and he received what he asked for.⁹³ Even de Witt was not ashamed to seize the opportune moment to solicit a favor from the English government. He "did earnestly . . . intreat" an order concerning his brother-in-law's ship of Amsterdam, taken by a "Portugall private man of warre and brought into Rye".⁹⁴ It is to be hoped that he received this small favor, for he, too, had earned a reward.

So ended this event, which made considerable noise in the world at that day, and certainly left everyone engaged in the capture to suffer the contempt of that and succeeding ages.

RALPH C. H. CATTERALL.

⁹³ Clarendon to Downing, March 28/April 7, 1662; Clarendon MSS., vol. 104, ff. 53-54. Same to same, April 11/21, 1662; *ibid.*, f. 56. Same to same, June 13/23, 1662; *ibid.*, folio unnumbered, but between 71 and 72. Downing sends thanks. To Clarendon, June 27/July 7, 1662; *ibid.*, vol. 106, f. 180. Clarendon to Downing, July 25/August 4, 1662; *ibid.*, vol. 104, f. 84.

⁹⁴ Downing to Clarendon, March 21/31, 1661/2. Clarendon MSS., vol. 106, f. 154.

THE AMERICAN INTERVENTION IN WEST FLORIDA

THE centennial celebration of the Louisiana Purchase brought once more into current use the term "West Florida" and applied it definitely to the territory lying south of the thirty-first parallel between the Mississippi and the Perdido rivers. Before this that area was regarded as a part of either the Florida or the Louisiana Purchase, while the term itself, if used at all, suggested an uncertain British or Spanish colony so early absorbed by neighboring states that its brief annals were of no concern in our national history. If one subscribes to the principle, "right or wrong, my country", there is much to justify, or at least explain, this neglect; but even with the restricted area mentioned above, West Florida has had a significance far beyond its mere size or productivity. Within its narrow limits centred the problems connected with our southern boundary, the navigation of the Mississippi and of the Mobile, and the defense of our southern frontier. During the critical decade following 1803 it was the scene of many minor frontier events that involved our diplomatic relations with the three leading powers of Western Europe. It had its prototype in the Natchez District, whose occupation in 1797-1798 rendered its own acquisition a foregone conclusion; while nearly every detail of its history affords a striking comparison with a like event in the history of Texas, New Mexico, or California. Indeed in 1830 Lucas Alamán, the Mexican secretary of state, expressly used West Florida as a warning example of what was then taking place in Texas, and Almonte and Santa Anna, thirteen years later, vainly attempted to forestall a like condition of affairs in California.¹

The intervention by the United States in West Florida was due to two distinct causes—a spirit of territorial acquisition, expressing itself in popular clamor, fruitless diplomacy, and a series of frontier disturbances; and domestic revolt within the territory itself. The increase of American population in the southwest, particularly in the Natchez and Tombigbee districts of Mississippi Territory before and immediately after 1798, created a popular demand for an uninterrupted outlet to the Gulf of Mexico. This was only partially

¹ A copy of Alamán's memorial is in Mexican Despatches, III., Bureau of Indexes and Archives, Department of State. For other references see Garrison, *Westward Extension*, p. 27; Von Holst, *Constitutional History of the United States*, III. 110; H. H. Bancroft, *History of the North Mexican States and Texas*, II. 113, and *California*, vol. IV., ch. xvi.

appeased by the uncertain privilege of deposit at New Orleans or the later purchase of Louisiana, for the Mobile was secondary only to the Mississippi as a highway for our southwestern commerce, and still other streams might in the future acquire an equal prominence. The United States must possess all the territory east of the Mississippi in order to meet the commercial and defensive problems of our southern border and the wishes of an Anglo-American population on both sides of the line of demarcation. Indeed, from a physiographic standpoint a permanently divided sovereignty in the region was unthinkable.

To those citizens of the United States who lived just above the thirty-first parallel the exactions levied by the Spaniards on their commerce at Mobile and the temptation afforded by the presence at Baton Rouge of a Bourbon regimen lacking all prestige, were continual incentives to border forays or to personal controversies and animosities that almost exhausted the patience of both governments and led both to appeal to the sinister arbitration of Napoleon.² For nearly two decades our State Department attempted to deal with the problems presented by the spirit of expansion and ensuing frontier disturbances, either by directly purchasing the whole of the Floridas from Spain or by securing the strategic portion through untenable claims strengthened by subserviency to France or England. When diplomatic bargain or chicane failed to gain the coveted region, the inhabitants of West Florida took advantage of Spain's necessity to revolt and thus force the American authorities to intervene, for the double purpose of preserving order in their own contiguous territories and of realizing their territorial ambition. It was this intervention that brought the revolted region into the Union and ultimately led to the acquisition of the rest of the Floridas.

Jefferson had perceived the possibility of such a result while yet a member of Washington's Cabinet. Hearing that Governor Quesada of East Florida was inviting foreigners to settle in his territory, he thus expressed himself to his superior:

I wish a hundred thousand of our inhabitants would accept the invitation. It may be the means of delivering to us peaceably what may otherwise cost a war. In the meantime we may complain of this seduc-

² Cf. *American State Papers, Foreign Relations*, II, 678 ff.; Claiborne, *Correspondence*, vols. II. and III., *passim*; and Spanish Notes, vol. I., *passim*. The Claiborne Correspondence in six manuscript volumes is in the Bureau of Rolls and Library of the State Department. The manuscript volumes of the Spanish Notes are in the Bureau of Indexes and Archives, State Department. For permission to use these collections I am indebted to the officials in charge during the years 1903-1907.

tion of our inhabitants just enough to make them believe we think it very wise policy for them and confirm them in it.³

Meanwhile Jefferson and his successors, largely influenced by his direct suggestion and advice, skilfully utilized every diplomatic opportunity from the Nootka Sound episode to the overthrow of the Bourbon rulers of Spain to secure the Floridas. The offer to guarantee the remaining possessions of Spain beyond the Mississippi, the attempt to take advantage of European wars, the imbroglio with France and the threat of possible alliance with Great Britain, the specious reasoning that sought to include West Florida within the Louisiana Purchase, and even the shameless subordination of national honor at Napoleon's behest—all these failed to bring us the coveted territory. However, two decades of adroit public appeal had created a vigorous national sentiment in favor of this acquisition. At the same time Spain's repressive commercial policy, first at New Orleans and later at Mobile; her intrigues with the southern Indians and with certain political leaders of our western settlements; and her attempt to push the boundary line of the Floridas as far northward as the mouth of the Yazoo, had strengthened this sentiment into a feeling of intense resentment towards her declining colonial power.

The cession of Louisiana by France to the United States placed a new importance upon Spain's retention of the Floridas. In the opinion of the Marqués de Casa Yrujo, her minister residing in Philadelphia, this transfer threatened no worse result than clandestine trading by the Americans within the Mexican provinces, and even this practice could be checked, if not absolutely controlled, as long as Spain possessed the power to make reprisals from the Floridas. So far as more ambitious attempts of the western states upon Mexico were concerned, these could readily be neutralized, if Spain continued to possess the Floridas and Havana, by blockading the mouth of the Mississippi. The possession of the whole of West Florida, however, as well as East Florida, was essential to her purpose, and this formed an additional motive for Spain to resist all American attempts to wrest this territory from her.⁴

If the Louisiana Purchase emphasized the importance of the Floridas to Spain, it also brought into prominence the fact that

³ Jefferson to Washington, April 2, 1791. MS., Miscellaneous Letters, vol. V., Bureau of Indexes and Archives.

⁴ Casa Yrujo to Cevallos, August 3 and November 5, 1803, in Mr. Henry Adams's transcripts of Spanish State Papers, MSS., Bureau of Rolls and Library, Department of State; Spanish Transcripts, Department of Archives and History, Jackson, Miss.; also Robertson, *Louisiana under Spain, France, and the United States*, II. 69, 118, 147, 332.

most of the inhabitants of the Floridas expected and desired annexation to the United States. When, to their disappointment, the American commissioners accepted Louisiana without demanding West Florida, the inhabitants of the Bayou Sara region, who were mostly of Anglo-American origin, began a series of border outrages in which the Kempers gained an unpleasant notoriety. At the same time renewed Spanish exactions at Mobile aroused the resentment of the settlers of the Tombigbee region, largely peopled by recent American immigrants from Georgia, the Carolinas, and Tennessee. James Caller and Joseph P. Kennedy aspired to the leadership of the more radical elements of this population. On neither side of the line of demarcation did the local authorities seem wholly able to repress the disorders, although Harry Toulmin, the federal judge of this district, succeeded in checkmating the more ambitious filibustering projects against Mobile.⁵ In time this lawless condition along both the Mobile and the Mississippi became a most potent argument in favor of American intervention.

While in these various ways the American spirit of territorial acquisition was working toward the ultimate absorption of the Floridas, conditions within these regions were gradually shaping themselves to the same end. The Creole population centring about Mobile seems to have been largely indifferent to the various international factors that were to determine their ultimate destiny and for the most part remained quiescent under the expiring Spanish authority. The forces that led to intervention in this region, therefore, must be sought for outside the territory itself, and are to be found in the filibustering plans mentioned above and the military necessity for the occupation of Mobile in 1813.

A far different condition of affairs obtained in the Baton Rouge jurisdiction. Here the population was almost exclusively Anglo-American. There was an element composed of Tory immigrants of the Revolutionary period or still earlier settlers who had passed directly from a British to a Spanish citizenship. There were those who because of British or Spanish sympathies had removed from above the line since 1798; and finally, later American immigrants whom the liberal land policy of the Spaniards had attracted into the region or who found there a ready asylum from the consequences

⁵ See the authorities mentioned in note 2, and also Lieutenant-Colonel Richard Sparks to the Secretary of War, July 12, 1810, MS. in Papers Relating to Revolted Spanish Provinces, Bureau of Rolls and Library; *National Intelligencer* for November 7 and 13, 1810; *AMERICAN HISTORICAL REVIEW*, II. 699 ff.; and Miss. Territorial Archives, MSS., Department of Archives and History, Jackson.

of crime or debt.⁶ By 1810 the greater portion of each of these classes of West Florida's ill-assorted population regarded American domination with favor. To these Napoleon's overthrow of the Bourbon dynasty in the Spanish Peninsula was a signal rather than a cause for revolt. Aside from the time-factor West Florida had nothing else in common with the contemporaneous outbreaks in Mexico, Caracas, and Buenos Ayres. The dominant faction of its population simply seized the opportunity to join the American Union by a somewhat devious method. The Baton Rouge jurisdiction of West Florida, and more particularly the Bayou Sara or Feliciana District thus forced American intervention. Viewed from this standpoint, as a frontier rather than a diplomatic event, intervention seems inevitable and can be interpreted in a more natural way than has hitherto been employed.

The key that serves to explain this event and to connect the West Florida revolt with preceding diplomatic and border conditions is to be found in the correspondence of Madison's two chief agents—Governor W. C. C. Claiborne of Orleans and Governor David Holmes of Mississippi.⁷ Their territories bordered upon the region in dispute, were separated by it, and thus rendered subject to possible foreign invasion. It was only natural, then, that from the very beginning of their administrations they should display an active interest in whatever was happening in the neighboring Spanish province. For many years Governor Claiborne's letters emphasize the unsatisfactory conditions existing on the West Florida border, and his active knowledge of the situation enabled him, at the critical juncture, to advise the American government as to its proper course. Holmes had only a few months' experience as governor of Mississippi Territory, when the West Florida question was thrust upon him, but his tact, geniality, and common-sense had already established his hold upon his own people and had recommended him to the population of the neighboring territory; so that his part in the critical events of 1810 was both helpful and successful. It is to his correspondence that we must turn for the best

⁶ Claiborne states in a letter to Robert Smith, December 17, 1810, Claiborne Correspondence, vol. VI., "My impression is that a more heterogeneous mass of good and evil was never before gathered in the same extent of territory." For other references see A. Ellicott to the Secretary of State, January 10, 1799, in *Southern Boundary*, Andrew Ellicott Papers, MSS., Bureau of Rolls and Library; and McMaster, *History of the People of the United States*, III. 369.

⁷ Note 2 mentions the Claiborne Correspondence, of which vol. VI. relates to the intervention in 1810. Governor Holmes's communications are to be found in *Proceedings of the Executive Council and Legislature in the Mississippi Territory and Governor's Correspondence in the Mississippi Territory*. MSS., Bureau of Rolls and Library.

account of the events which resulted in the American intervention.

In 1807 General James Wilkinson brought to the attention of the administration a "letter from a Gentleman in New Orleans" (probably Claiborne) of which he gave the following significant extracts:

Since your departure from this place, discontent begins to assume a very formidable aspect amongst the people of West Florida. They are ripe for violent measures. Two of their head men are now in this place, who tell me "that if the United States will not protect them they will solicit the assistance of England." The taking of Baton Rouge and Pensacola they speak of as matters of trifling achievement. They have about 400 men who will follow their standard to any length they please. This is the time, in my opinion, for the U. S. to make a speculation, as the floridians say they want no assistance in taking the country, and that all they would ask from Great Britain or any other power would be to maintain them in the possession which they had taken. . . . I wish you would feel Mr. Jefferson's pulse on this subject, if he is near you, and return me an answer by mail. One of the agents, a Captain whom you know, has seen this and will defer his visit to England until you answer me. His object is to effect the thing at all events and [he] feels sanguine that should the U. S. not be disposed, he will be able to induce the British to once more establish their Government at Pensacola.⁸

Jefferson's pulse was then experiencing an unexpected flutter on account of the unwarranted attack upon the Chesapeake; and from this fact the menace of British intervention in West Florida, so strongly emphasized in Claiborne's letter, acquired an additional significance. Hitherto Great Britain had shown no readiness to interfere in the affairs of that region, but the case might be different if engaged in war with the United States and urged to that end by a considerable faction of the Florida people who had formerly been British subjects. Our commissioners, therefore, must exert diplomatic pressure, through threats of ultimate appeal to force, to induce Spain to accommodate her differences with our government at the earliest possible moment.⁹ Later instructions show that they were to continue to invoke the sinister aid of Napoleon to that same end.

The concluding period of Jefferson's administration and the first few months of the next were marked by a policy of chafing delay and indecision in regard to Florida affairs. In order to avoid paying for the coveted territory by an alliance with France against England, Jefferson at one time favored independent action on the part of the United States against Spain or at any rate a definite

⁸ Papers in Relation to Burr's Conspiracy, MSS., Bureau of Rolls and Library. The extracts are endorsed: "Undated but probably June, 1807."

⁹ Madison to Armstrong and Bowdoin, August 2 and October 18, 1807. Instructions, vol. VI., MSS., Bureau of Indexes and Archives.

agreement with that power.¹⁰ This apparent determination to depend upon our own diplomacy, backed by definite action on the Florida frontier, was followed by the suggestion, made in August, 1808, that if England should prove more conciliatory the United States might take advantage of Napoleon's campaigns in Spain "to seize our own limits of Louisiana" (*i. e.*, West Florida to the Perdido), and "the residue of the Floridas as reprisal for spoliations".¹¹ Early in the following year he again inclined to seek Napoleon's aid in the matter.¹² He passed from office with the Floridas still outside the Union, but he felt confident that his successor would secure them, as well as Cuba, by the voluntary proffer of their inhabitants.¹³ Rumor, indeed, accused Jefferson of stating his belief in the terse expression: "We must have the Floridas and Cuba." This report irritated the French minister, Turreau, and Madison hastened to inform him, through Gallatin, that:

We are and we wish to be strangers to all that passes in the Floridas, in Mexico, and also in Cuba. You would be mistaken if you supposed that Mr. Madison wishes the possession of the Floridas. That was Mr. Jefferson's hobby . . . it has never been the wish of his Cabinet; and Mr. Madison values to-day the possession of the Floridas only so far as they may be thought indispensable to prevent every kind of misunderstanding with Spain, and to secure an outlet for the produce of our Southern States. We have had no part in the meetings which have taken place in the Floridas.¹⁴

There is every evidence from Madison's past opinions and from his conduct in the immediate future that Gallatin more nearly represented his chief's real views when he spoke with reference to Cuba, than when he gave utterance to the above sentiments regarding the Floridas. At this point it may be well to note that the diplomatic factors over which Jefferson vacillated in 1809 were precisely those which he had discussed in the Nootka Sound episode, nearly twenty years before. Measured by results this diplomacy had gained for the United States—with but little personal credit for himself however—the settlement of the southern boundary, the free navigation of the Mississippi, and the Louisiana Purchase. These were all vital events in our national territorial history, but the very region so greatly desired in 1790 was still an alien possession; while the problem of Indian relations and other frontier issues, of unadjusted boundaries, of commercial restrictions and spoliations, rested upon our State Department with scarcely diminished pressure.

¹⁰ P. L. Ford, *Writings of Jefferson*, IX. 134, 140, 195.

¹¹ *Ibid.*, p. 203.

¹² *Ibid.*, p. 243.

¹³ *Ibid.*, p. 251.

¹⁴ H. Adams, *History of the United States of America*, V. 37, 38.

If diplomacy based upon untenable claims and Spanish necessity had failed in its immediate purpose to acquire the Floridas, conditions in that portion of West Florida bordering on the Mississippi soon showed that the desired result might be brought about by the people of the region itself. In April, 1810, the adventurer, Samuel Fulton, now a Spanish subject residing at Baton Rouge, tendered his services to Madison, in case Spain succumbed to Bonaparte and Congress and the President desired to take possession of the contiguous territory. To justify his proffer he referred to an earlier tender of his services in 1803, when he had resigned from the French army; and stated that his position, as adjutant-general of the West Florida militia, which he had organized "in a highly creditable manner", and his knowledge of the country might render his "services useful to the government".¹⁵ More effective than this offer, which may be regarded as typical of the attitude of many leading citizens in West Florida, were the reports of Governor Holmes of Mississippi, supplemented by the personal representations of Governor W. C. C. Claiborne.

In 1810 the latter was granted a leave of absence to visit Washington and vicinity, and while at the seat of government he seems to have gained the assent of President Madison to his plan of intervention, suggested three years before. The prospect for success at that time doubtless recommended such a policy to the American executive, who was wearied by years of futile diplomacy. At any rate, on June 14, 1810, Claiborne was empowered to write to William Wykoff, jr., a member of the Executive Council of Orleans Territory, advising him that in view of the prospect of South American independence West Florida might likewise seize the opportunity to become free. As the United States claimed this territory, such a move would mean that our government must intervene. It was highly desirable, however, to have this brought about as the result of an invitation from its people. "Can no means be devised", he asks, "to obtain such a request?" He mentions the presence of a French, an English, and an independent party among the people, but believes that none of these can realize its desire. "Nature has decreed the union of Florida with the United States", he affirms, "and the welfare of her inhabitants demands it." Wykoff was thereupon empowered to visit West Florida as an emissary of the United States, to reassure its inhabitants of the welcome they would receive from our government, and to suggest

¹⁵ Samuel Fulton to Madison, April 20, 1810. MS., Madison Papers, Lenox Library. For permission to use this material I am indebted to Mr. Wilberforce Eames. For notice of Fulton, see *AM. HIST. REV.*, X. 270, n. 1.

a convention of its people, as far east as the Perdido, as the best means of bringing about a united request for American intervention.¹⁶ This letter suggests that the American officials, influenced by Claiborne's representations, now preferred to secure their ends by a revolt, which would exhibit the appearance of spontaneity and at the same time conceal the real agency of our government.

By a coincidence that suggests previous collusion, the people of West Florida were even then pursuing almost the course that Claiborne outlined. On the 20th of June, 1810, Governor Holmes of Mississippi wrote to Robert Smith, secretary of state, that anarchy ruled throughout the neighboring province, where the regular authorities had ceased altogether to exercise their functions and voluntary police associations were absolutely ineffective. With regard to its future status the mixed population was divided into different national factions, of which the most important, the American, desired ultimate annexation to the United States. The leaders of this faction did not favor immediate action for fear of involving themselves in a premature revolt. Yet Holmes felt they would run this risk rather than to submit longer to anarchy or to foreign rule. The slave population and the refugee element were to be feared because of their influence upon contiguous American territory; but Holmes did not anticipate the intervention of any foreign power with the possible exception of Great Britain, and of the probability of this the Washington authorities would best know.¹⁷

It was nearly two months before Madison advised his incompetent secretary how to answer this communication. Governor Holmes was to keep a "wakeful eye" on West Florida and promptly to transmit any interesting reports therefrom to the seat of government. He was likewise to have his militia ready; and in case of foreign intervention or "internal convulsions" he was to protect the rights and interests of the United States "by every means within the limits of executive authority". So far Madison's advice might apply to any frontier commander in any emergency, but in view of Claiborne's previous attitude as shown by his letter to Wykoff, his closing words are extremely suggestive. "Will it not be advisable to apprize Governor H[olmes] confidentially of the course adopted as to W[est] F[lorida] and to have his co-operation in diffusing the impressions we wish to be made there?"¹⁸

¹⁶ Claiborne Correspondence, VI.

¹⁷ Gov. Cor. Miss. Ter.

¹⁸ Hunt, *Writings of Madison*, VIII. 105. The original letter bears the date of August 17, 1810, and is found in vol. 34 of Miscellaneous Letters, MSS., Bureau of Indexes and Archives.

In the meantime Holmes was using his "wakeful eye" and the citizens of West Florida were acting in a manner that showed little necessity for "diffusing" Madison "impressions". Holmes, a former Virginian, with a long service in Congress, probably knew thoroughly the wishes of the administration. As a territorial executive on a distant and exposed frontier, he knew of but one solution for the problem before him—ultimate annexation to the United States. To this end, therefore, he worked slowly but cautiously, and, just as a few years before, Louisiana came to us as a gift from Napoleon without any significant effort on our part, so now West Florida came into the American Union as the gift of its own people. Much of the credit for this final peaceful result is due to Holmes, because of his tactful common-sense, his frank and sincere interest in the task before him, and the prudence which marked each successive step in his policy. Moreover, it should be remembered that he acted without instructions from the seat of government, aside from one non-committal missive, until the latter part of September.

On the 1st of July the people of the Feliciana District, the most populous of West Florida, held a meeting for the purpose of proposing a general committee to exercise the powers of government in the province, with the co-operation of the existing Spanish officials. "You may readily conjecture", wrote Holmes on the 11th, "how this business will eventuate. I am satisfied, from a knowledge of the sentiments of some of the most respectable of the inhabitants, that the whole may be considered as incipient to the measure of asking protection of the United States." For his own part he adds, "that he utterly forebore to express his opinion as to the probable action" of our government.¹⁹ Before the end of the month the four western districts of West Florida had organized a convention of sixteen men to assist Governor De Lassus "to promote the safety, honor and happiness of our beloved king, Ferdinand VII." At least so runs the published statement of its action, but Governor Holmes had direct information that betokened a different purpose. There were so many parties that the members of the convention were uncertain what course to pursue. While the majority desired annexation to the United States, they hesitated to ask openly for assistance, lest they should be overwhelmed by forces from Havana before the United States could act upon their application.²⁰ This

¹⁹ Proceedings of the Executive Council and Legislature in the Mississippi Territory, vol. I.

²⁰ Holmes to R. Smith, July 31, 1810. Gov. Cor. Miss. Ter. Cf. also *National Intelligencer*, September 3 and 24, 1810.

situation suggests the conditions which later accompanied the annexation of Texas. To add to the confusion of the members of the Florida convention, there were rumors that a filibustering force was being organized in the Mississippi Territory to assist them in winning their freedom. This, with premature newspaper reports of their independence, prevented cordial relations with Governor De Lassus.²¹

At the next meeting of the convention, which occurred on the 13th of August, Holmes, in keeping with the instructions of Secretary Smith, sent his own personal agent, Colonel Joshua G. Baker, to ascertain the real views of the leaders and of the people at large. The convention was in session three days and then adjourned to permit De Lassus to act upon its measures. Its members did not expect him to approve their action, so they were deeply anxious to ascertain whether Governor Holmes had any definite instructions to intervene, in case they needed his aid. When Colonel Baker returned to Mississippi Territory, therefore, he was accompanied by one of the members of the convention and likewise bore letters from its president and from some of its prominent leaders, which clearly revealed their anxiety to secure American intervention. The most frank expression of opinion was given by Mr. John H. Johnston, who emphasized the corrupting influences of the "villainous Court sycophants" who were enabled to "batten on the spoils of the land" because so large a portion of the population consisted of American refugees or ignorant time-servers. This condition of affairs rendered necessary the devious methods which the "reformers" were pursuing. Such a population, he wrote, needed to be placed "under the conduct of a wise guardian who will transform them from slaves to men. Such a guardian we see in the United States, who is our mother, and I am confident that I say the truth when I say two-thirds of the inhabitants of this country complain that she has been tardy and has treated them with neglect."

He mentions the possibility of incurring Spanish vengeance if they break with the governor and asks whether the United States will then receive them into her "bosom". He then inserts an illuminating question: "If it is necessary for the convention to formally declare the province independent of Spain and call upon the United States for protection, will it not be proper to insert therein two or three stipulations of consequence to us but not interesting to the United States?" Aside from these conditions, which could not be considered "after annexation", they would

²¹*Democratic Clarion and Tennessee Gazette* (Nashville), July 27, 1810. Holmes to R. Smith, August 8, 1810, Gov. Cor. Miss. Ter.

"cheerfully submit in all things to the federal constitution". His "stipulations" were, that British land titles should be disregarded when the same holding was covered by a Spanish title, and, with certain express exceptions, a general amnesty to all Tories, deserters, and fugitives from justice.

These conditions seemed to imply that the "reformers" engaged in overthrowing the existing Spanish government were not wholly unselfish in their policy and that they hoped in this manner to obtain a reward in the form of free lands for the risk involved in their devious method of bringing about American intervention. Their attitude likewise seems to show that Colonel Baker, Holmes's agent, had been more than a passive spectator at the West Florida convention. His superior, however, told its representative that he had no instructions to justify his interference in West Florida. He was merely to collect and transmit to the seat of government information of the events that might happen there, but personally he hoped that all these "would eventuate" for the good of its people. In his letter to Secretary Smith he cautiously ventures to arouse the administration by suggesting upon the basis of a newspaper report that Governor Folch had just returned from Havana to Pensacola with a large force of troops that rumor said were destined for service at Baton Rouge.²²

Governor De Lassus, contrary to general expectation, acceded to the measures adopted by the convention; but Holmes wrote in his next despatch that, "this surrender was not a matter of choice on the part of the governor" and, accordingly, the apparent harmony between him and the convention could not be of "long duration". Holmes did not believe the people desired to maintain an independent existence, nor was French intervention to be considered nor British intervention tolerated, even with the prospect of an excellent market in England for the surplus products of West Florida. He thought that the American party in that province would bring this matter before Congress at its next session, unless defeated by the activity of British agents.²³ It is interesting to note that this same course of action—an appeal to Congress supported by the fear of British aggression—characterizes certain stages of the later annexation movements in Texas and California.

As Holmes anticipated, the harmony between De Lassus and the convention leaders was broken on Saturday, September 22, when the latter, fearing treachery on the part of the Spanish governor, instructed their military representative, Philemon Thomas, to capture

²² Holmes to R. Smith, August 21, 1810. Gov. Cor. Miss. Ter.

²³ Holmes to R. Smith, September 12, 1810. Gov. Cor. Miss. Ter.

the fort at Baton Rouge. Thomas accomplished this early on the morning of the twenty-third, at the same time seizing the governor, and three days later the convention formally declared the independence of West Florida. On Monday, September 24, Holmes learned of the determination of the Florida convention to attack Baton Rouge, and this report was supplemented on the following day by a letter from Pinkneyville telling of its capture. This letter was accompanied by a petition asking for a mobilization of both regular troops and territorial militia to protect the border from possible disturbance arising from anticipated disorder in West Florida.²⁴

One who is at all familiar with conditions then existing along the West Florida frontier, is inclined to suspect a petition of this character from such a storm centre as Pinkneyville. The outrages of the Kempers had given the region an unpleasant notoriety. Doubtless its inhabitants desired absolute security for themselves and their possessions, especially their slaves, during the upheaval in West Florida, but an equally strong motive was their wish to give the revolutionists all possible support. Many of their more adventurous citizens were already enrolled under the banner of the new state, and in their absence the territorial militia or the regulars might well assume the task of frontier defense. At the same time the presence of these levies, in view of the open sympathy of the Mississippi population, could not fail to encourage the West Florida revolutionists and their active adherents from the bordering territories.

From the manner in which Holmes received this petition there are strong reasons to suspect collusion between Abner Duncan, of Natchez, who bore it to him, and Dr. R. Davidson, of Pinkneyville, who prepared it. Duncan was the messenger from the West Florida convention, who, on September 24, gave Holmes an account of its action on the 22d. At midnight on the day following his first report, he brought to the governor Davidson's letter and petition of that date, September 25, telling of the fall of Baton Rouge on the 23d. Duncan had probably arranged for the transmission of this news, but it is significant that the letter giving it should have been accompanied by a petition to mobilize the Mississippi militia, signed by only a few signatures. The writer hoped that more "would not be necessary to induce the Governor to make the diversion required". American officials of this period certainly cannot be charged with remissness towards West Florida, and any danger that Duncan or

²⁴ Holmes to R. Smith (with enclosures), September 26 and October 3, 1810. Gov. Cor. Miss. Ter. Also *Democratic Clarion and Tennessee Gazette*, October 5, 1810, and *National Intelligencer*, October 19 and 26, 1810.

Davidson might overreach, themselves by their haste was removed by Holmes's prompt action.

The Mississippi executive immediately requested Colonel Cushing to prepare two companies of regulars for patrolling the frontier at Pinkneyville, in order to guard against fugitive slaves from below the line and possible filibustering parties above. Later he changed this detail to one company for patrol duty and one company to be held in readiness at Fort Adams, and emphasized the danger from possible insurrection amongst the slaves. During the next few days he also issued orders to mobilize the whole territorial militia, and by so doing indicated a desire not only to protect his own jurisdiction but suggested the possibility of moral support to the Florida "Conventionalists". At any rate he reports in a later letter that when a "very considerable force" assembled in the lower portion of West Florida to oppose the movement for independence, the energetic conduct of the convention and their having had the address to turn to their entire advantage the nearness of this government (*i. e.*, Mississippi) "speedily overcame all opposition without bloodshed. This event was brought about as much from motives of humanity as from a just regard to the interests of the United States", although it was very probable that the tranquillity of Mississippi would have been "affected by a different result".²⁵ The governor thus acted for the best interests of the insurgents and for those of his own territory as well—a double purpose that had actuated him from the beginning.

On the 26th of September, Holmes forwarded to the seat of government a report of his precautionary measures and of events occurring in West Florida as late as the 24th. On the 28th he received a long-delayed despatch from John Graham, the assistant secretary of state, bearing the date of July 30. This was written before Madison's instructions to Smith, bearing the date of August 17, but from enclosures Holmes now learned the real attitude of the national government and that his own course in general had been in accordance with its wishes. It is a commentary on the lack of efficient means of communication and also on government methods of that day that he had received only one other communication from the State Department since his own letter of June 20. It speaks much for his ability that he had handled so well a situation which meant much to his country's future welfare. In his reply to the secretary he expressed regret at the delay in receiving this despatch. It left Washington on the 1st of August, and had it reached him on

²⁵ Proceedings of the Exec. Council . . . Miss. Ter., vol. I., and Holmes to R. Smith, October 3 and October 7, 1810, Gov. Cor. Miss. Ter.

the 24th of that month, as it should, he might already have had his militia in active service. But he hastened the mobilization in accordance with these later instructions.

Holmes's previous letter of September 26 informed Madison of the prospect of realizing his hopes in regard to West Florida but put him in a quandary; and as usual in such a case, he reported the matter to his political mentor, Jefferson. Personally his feelings and interests were aroused by the events in West Florida, but he doubted his executive authority to act. He thought he should await the action of Congress at its approaching session, although for seven years past he had maintained that the territory belonged to the United States and believed that in view of this claim and of previous Congressional actions he might fairly take possession of it. The successful party at Baton Rouge had not yet made any "communication or invitation" to the government of the United States, although, as we have seen from Holmes's correspondence, he fully expected it to do so, or to apply to Great Britain. This latter prospect led him to conjure up the spectacle of a "quadrangular contest" in which Great Britain, France, and Spain would forget the animosities of the past generation in order to make common cause against their upstart imitator in the West.²⁶

In the course of the next eight days Madison received another communication from Holmes, dated October 3. This enclosed a copy of the West Florida Declaration of Independence, passed on September 26, a personal address of the West Florida convention to Holmes, and an explanatory letter addressed by its president, John Rhea, to the Secretary of State. It is interesting to note that in the folio edition of the *American State Papers* these documents are published as enclosures in Governor Holmes's despatch of October 17.²⁷ Madison certainly had them before him when he issued his proclamation of October 27 and directed his Secretary of State how to instruct Claiborne to take possession of West Florida. One is naturally tempted to inquire what impression Madison wished to create by postdating the receipt of these documents. We can only surmise that he was led to do so by the interview which Robert Smith held with the French minister, Turreau, on the 31st of October. In this interview Smith employed the following language, or at least Turreau so reported to his government: "As for the Floridas I swear, General, on my honor as a gentleman not only that we are strangers to everything that has happened, but even that the Americans who have appeared there either as agents or leaders

²⁶ Hunt, *Writings of Madison*, VIII. 109.

²⁷ *Am. State Papers, For. Rel.*, III. 395.

are enemies of the Executive, and act in this sense against the Federal government as well as against Spain."²⁸

In view of the fact that both Smith and Madison certainly did know every step of importance regarding the revolt in West Florida up to the end of September, and that the real leaders there had so far clearly forecast the wishes of the Executive and were working in the fullest possible harmony with his immediate representative, Governor Holmes, this language seems to suggest that Smith was exemplifying the reversal of the well-known definition of a diplomat and was lying at home for the good of the country abroad. The necessity certainly rested upon the American government to justify Madison's proclamation of October 27 and the ensuing instructions to Claiborne; but the President and his Secretary of State could only do so by affecting ignorance of the events that led up to the declaration of independence in West Florida. It is hardly likely that they succeeded in deceiving Turreau, or the more astute Bonaparte, who had long been toying diplomatically with the wishes of Jefferson and Madison to possess the Floridas; but the arch-despoiler of Spain acquiesced in this act of minor territorial plunder, in view of the exigencies of his own commercial policy in Europe. West Florida was a petty price to pay for even the partial adherence of the United States to his continental system.²⁹

A month later, on the distant West Florida border Claiborne and Holmes were jointly planning how to carry out the President's instructions in the most effectual manner, and with the least possible disturbance. By this date such a move presented much greater difficulties than would have been encountered a few weeks earlier. The faction that pretended to favor the continued independence of West Florida, or rather, that wished to make terms with the American authorities before entering the Union, had gained control of affairs, secured the adoption by the convention of a regular constitution, patterned after that of the United States, and, on November 7, had elected Fulwar Skipwith as governor, together with members of a senate and house of representatives. Governor Skipwith was inaugurated on November 29, when the new lone star republic began its formal but short-lived career.³⁰ A force of one hundred men was being organized for operations against Mobile, which Kemper and Kennedy, with an irregular force of Florida volunteers and American filibusters, were already attempting to

²⁸ H. Adams, *History of the U. S.*, V. 313.

²⁹ *Ibid.*, p. 383.

³⁰ H. L. Favrot in *Publications of the Louisiana Historical Society*, vol. I., part III., p. 22, 26.

reduce. The presence of these armed levies and the reported determination of those in control not to submit to the United States without terms in regard to land titles and to refugees, rendered it necessary for the allied governors to prepare the minds of the people to receive them, and at the same time to overawe possible opposition by a show of adequate force. Accordingly they determined to send trusty agents to distribute printed copies of the President's proclamation throughout the territory. At the same time they were to obtain from Colonel Covington as an escort for Claiborne all the regular troops then available. Lieutenant-Colonel Pike was also to hasten the mobilization of the remaining regulars, and the Mississippi militia officers were to hold their commands in readiness for any emergency. These movements were to be directed simultaneously towards Baton Rouge and Mobile, but both governors in person were to undertake the reduction of the former place, Holmes proceeding overland, while Claiborne pursued the river route with the military escort.⁸¹

Having secured the speedy and quiet adjournment of his own territorial legislature on December 4, Holmes left Washington, Mississippi Territory, for St. Francisville, in West Florida, some twenty miles below the line of demarcation. On the evening of the same day Claiborne reached Fort Adams, and on the following morning dispatched two messengers below the line to distribute the proclamation at St. Francisville and at Baton Rouge, to collect all the available information, and to sound the sentiment of the people regarding intervention. One of the agents, Osborne, began his work on that day, so that when Holmes reached St. Francisville the following noon, he found the people in a state of great excitement. Just a week before Fulwar Skipwith had here been inaugurated as governor of the independent state of West Florida. He and many of his fellow-officials still lingered at St. Francisville preparatory to moving on to Baton Rouge where the next session of the legislature was to consider the ambitious programme which he had outlined in his inaugural address. It was this complacent dream of independent sovereignty, or more correctly, of ambitious dickerings with the

⁸¹ The best account of the actual events of the intervention at St. Francisville and Baton Rouge is afforded by the two chief sources already extensively used, *viz.*, the Claiborne Correspondence, especially Claiborne's letters to Robert Smith from October 30, 1810, to January 3, 1811, as given in vol. VI., and the long report of Holmes to Smith, dated January 1, 1811, in Gov. Cor. Miss. Ter. There are a few items of interest in Proceedings of the Exec. Council . . . Miss. Ter., I.; in vols. 34, 38, and 47 of Miscellaneous Letters; in the Monroe Letters of the Lenox Library; in the Monroe Papers, vol. XII., MSS., Library of Congress; and in the newspapers. The accounts in the *National Intelligencer*, however, are obviously drawn from Claiborne's and Holmes's reports.

American Union on an independent basis, that Madison's proclamation so rudely shattered, and it is no wonder that those who had expected to profit by the transaction resented the loss of their petty advantage.³²

The majority of the people were ready to welcome the authority that brought to them American citizenship, even in this unexpected guise. Relying upon this sentiment, Holmes, immediately upon his arrival, addressed himself to the task of reconciling the disaffected to the President's policy. The latter official, he explained, had acted in an executive capacity, with only the Louisiana Treaty and certain acts of Congress to guide him, and accordingly he could not recognize the West Florida legislature as possessing any authority whatever. He could only cite the general liberality of the United States toward its own settlers and promise temporary immunity for the deserters from its service pending the ultimate decision of the President, but he succeeded in inducing all but a few leaders, including Skipwith and Philemon Thomas, the "general" of the West Florida troops, to acquiesce in the programme of the American authorities.

In the course of his inaugural address the week before, Skipwith, after stating that West Florida was entitled to independence and that wherever justice and humanity were heard its demand was respected, had concluded with the following bit of turgid rhetoric:

But the blood which flows in our veins, like the tributary streams which form and sustain the father of rivers, encircling our delightful country, will return, if not impeded, to the heart of our parent country. The genius of Washington, the immortal founder of the liberties of America, stimulates that return, and would frown upon our cause, should we attempt to change its course.³³

On the evening of this unexpected *dénouement*, however, after

³² Undoubtedly one reason for Skipwith's attitude is to be found in his resentment because Madison and Jefferson had not supported him in his previous controversy with Armstrong, through which he lost his position as consul at Paris. This is shown by his alacrity in appealing to Monroe for justification as soon as the latter became secretary of state. Skipwith had been a very intimate and very effective friend of Monroe, while the latter had been engaged in his trying diplomatic experiences in Europe; and may have been a victim to the necessity of placating the group of New York politicians represented by Armstrong, or to Jefferson's and Madison's resentment against Virginia opposition represented by John Randolph, and, for a time, by Monroe himself. Naturally he was inclined to oppose this apparently new manifestation of Madison's enmity that was pursuing him into his West Florida exile. James Bowdoin, Thomas Sumter, Nicholas Biddle, and Monroe himself all testify to Skipwith's integrity and honesty of purpose. He later served in the Louisiana legislature and was employed in certain negotiations in Haiti. Cf. Monroe Letters, Lenox Library, and Monroe Papers, XII., MSS., Library of Congress.

³³ *National Intelligencer*, December 29, 1810.

his friends had failed to persuade Holmes to recognize him in an official capacity, Skipwith called upon the latter in a different frame of mind. He stated that it had always been his wish to bring about the union of West Florida with the United States, but he complained bitterly of the method Madison had now adopted for this purpose. By seven years' acquiescence in continued Spanish occupation, the United States had abandoned its right to the country, and the West Florida people would not now submit to the general government without conditions. Holmes did his best to persuade Skipwith that resistance to Madison's programme would be unavailing and utterly mischievous, but finding this fruitless, terminated the interview. Whereupon the affronted governor with a few of his unreconciled legislators departed for Baton Rouge, leaving behind for Claiborne the verbal statement, "that he had retired to the fort at Baton Rouge and rather than surrender the country unconditionally and without terms, he would with twenty men only, if a great number could not be procured, surround the Flag-Staff and die in its defense".

On the following morning Holmes, Osborne, and John H. Johnson, the last named representing Skipwith, crossed the Mississippi to confer with Claiborne, who joined them at Pointe Coupée. Johnson delivered Skipwith's bombastic challenge, but at the same time repeated his own assurances of devotion to the United States, and urged Claiborne to visit St. Francisville, where he would be welcomed and recognized as Madison's agent. This attitude on the part of a member of the West Florida legislature, and one of the leaders in the movement for independence, indicated the slender basis for Skipwith's hope of resisting the United States. Later the governors of Orleans and Mississippi together crossed the river to St. Francisville, where the former was received by citizens and military "with great respect", as the representative of the American government, and erected the region into a county, appointing such officers as were immediately requisite. Thus, on December 7, the most populous and wealthiest portion of West Florida, in the words of Governor Holmes, "willingly exchanged a system of government which peculiar circumstances had induced them to adopt, for that of the United States . . . an event most desirable to the great body of citizens".⁸⁴

⁸⁴ McMaster, *History of the People of the United States*, III. 372, speaks of some opposition to the formality of taking possession of St. Francisville, voiced by Philemon Thomas. Neither Holmes nor Claiborne mentions this and the language used by McMaster suggests Skipwith's expostulation to Holmes the night before and his method of leaving later for Baton Rouge.

After conferring with Claiborne in regard to the difficulties likely to be encountered in their further intervention, Holmes, again serving as *avant courier*, departed for Baton Rouge, accompanied by "a few gentlemen of respectability" from the Bayou Sara District, and an escort of the former West Florida cavalry. On the evening of December 9, Holmes and his company were suffered to enter the town without opposition, and Skipwith in an interview reported that he personally had abandoned any thought of resisting the American agents, but he stated that he could not answer for the troops within the fort. On the following morning Holmes had an interview with their commander, John Ballinger, and assured him that for the present those who were deserters would not be molested, and ultimately he believed the President would pardon them. Ballinger then stated that he had concluded to surrender the fort to the United States troops. By this time Claiborne with the regulars under Covington had already effected a landing some two miles above the town. Shortly thereafter Holmes reported to him the pleasing information that "the armed citizens called here the convention troops are ready to retire from the fort and acknowledge the authority of the United States", without insisting upon any terms. The gratified Claiborne readily agreed that some simple and respectful ceremonial should mark the formal act of transfer; and under these conditions, at half-past two that afternoon, December 10, 1810, the men within the fort marched out and stacked their arms and saluted the flag of West Florida as it was lowered for the last time, and then dispersed. The short-lived republic that had served its purpose in bridging the gap between Spanish and American domination came to a close, while the cheers of its citizens, as voiced in Skipwith's letter to Claiborne, showed their "sentiments of unexceeded joy and self-felicitation in being taken into the bosom of my [their] parent country".

While in this same communication Skipwith expressed his gratification at the result of American intervention, he did not hesitate to criticize bitterly the method by which Madison and Claiborne had brought it about. He stated his belief that a surrender of the territory by "the constitutional authorities thereof as an independent state" was the only method that could give the United States "an unqualified and legal title" to its possession. At the same time as a native of the United States who had long been in its public service, he could not sign an order that might result in the "loss of one drop of American blood". So he yielded to superior force, but at the same time his "honor and humanity" led him to

recommend the deserters from American service to the clemency of their government and its agents.

Claiborne himself reported that much of the resentment aroused among the people in West Florida by Madison's proclamation arose from the fact that it was not thought to be sufficiently respectful towards their constituted officials. The unexpected American intervention also broke up the projected expedition against Mobile and thus "blasted the prospects of many aspiring individuals". The first feeling of these was naturally one of "chagrin and disappointment", but a "little reflection and the interposition of some good men occasioned an amicable result". Several later memorials to the American Congress, however, show the existence of some latent dissatisfaction regarding land grants under the Spanish government, the disposal of the vacant lands of the territory, and the debts incurred by the provisional government. Skipwith himself felt particularly resentful because the administration paper, the *National Intelligencer*, criticized him so severely. When his friend Monroe became secretary of state he attempted to justify his course. In his reply Monroe stated what is, perhaps, the best interpretation of the administration's attitude in the intervention:

I shall say but little relative to the late affair in West Florida. I shall only remark that it was impossible for the U[nited] S[tates] to accept a title to it, from the revolutionary party. They would have been as much responsible to Spain, or any gov[ernmen]t claiming Spain, in taking it from the revolutionists, as if they had driven the Spanish troops out by those of the U[nited] States. Spain would always have said that this party was put in motion by the U[nited] States, for the purpose of masking their views. In taking the country from it, they would have had the same difficulty to keep the possession against the ultimate possessor of Spain, as if they had taken it by force. If war had been the consequence it would have fallen on the U[nited] States, not on the revolutionary party in Florida, who would have disappeared and mingled with the rest of their fellow citizens. In taking that course then the U[nited] States would have gained nothing as to title, or security; and would have lost in character and likewise in property, for [in] so far as they made the revolutionists any recompense for the cession they might make, [just] so far it would be an entire loss.³⁵

One is tempted to compare this letter with Claiborne's of June 14, 1810, or with the statement of Robert Smith to Turreau,³⁶ but the result would be simply to confirm him in the impression that the West Florida policy of Livingston, Jefferson, Madison, and Monroe is the most tortuous, mismanaged, and indefensible in our

³⁵ Monroe to Skipwith, October 22, 1811. MSS., Ford Collection, Lenox Library.

³⁶ *Supra*, pp. 297 and 304-305.

diplomatic history. Moreover, there was still to be added to the chapter of incompetency the apprehensive explanations of Armstrong and Pinckney to Napoleon and to the English Cabinet, Monroe's apparently frank but really evasive interviews with Bernabeu, and Clay's labored but unconvincing defense of the intervention in the Senate.³⁷ It is only as we turn from such centres of diplomatic and legislative intrigue as Washington, Madrid, and Paris to the frontier itself that we perceive the true influences that brought West Florida into the American Union, and ultimately determined the ownership of the whole of the Florida peninsula. Such physiographic factors as its position in regard to the Mississippi and the Mobile, and its proximity to the territories of Orleans and Mississippi, which it separated; and such natural impulses as moved a population largely American in sympathy, really determined the future of this region; and they ultimately would have done so had the Louisiana Purchase never occurred or had the name of West Florida never suggested the most disgraceful diplomatic transaction of our history. Yet with the characteristic desire to save their own reputations for consistency, our officials utterly disregarded the very elements that enabled them to realize their specious interpretation of the treaty of San Ildefonso.³⁸

The occupation of St. Francisville and of Baton Rouge established American jurisdiction to the Pearl River. Later Claiborne extended our control to the Pascagoula, and Wilkinson, by the military occupation of Mobile, to the Perdido. In this ruthless but expedient fashion our officials made good their plausible claim³⁹ to this portion of West Florida, which was later divided and annexed to three states of the American Union. It was not until 1819, however, that they appeased the dignity of outraged Spain by a non-committal treaty, and even in bringing about this result it is probable that the most important diplomatic factor was Jackson at the head of the frontier militia.⁴⁰

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³⁷ See Instructions, vol. VII., and Spanish Notes, II., MSS., Bureau of Indexes and Archives, and also Papers in Relation to Burr's Conspiracy, MSS., Bureau of Rolls and Library. Clay's speech is summarized by H. Adams, V. 320, and is given in *Annals of Congress*, 11 Cong., 3 Sess., p. 55 ff.

³⁸ See Skipwith to Monroe, May 18, 1811, with enclosed statement, Monroe Letters, Lenox Library. J. Ballinger to Monroe, December 26, 1811; John Johnson and others to Monroe, August 17, 1815; Thomas Butler to Monroe, August 26, 1815; A. Massias to Monroe, April 5, 1816; in vols. 35, 47, and 50, Miscellaneous Letters, Bureau of Indexes and Archives.

³⁹ The diplomatic claim of the United States to West Florida is summarized by Ogg, Chadwick, H. Adams, Fuller, *The Purchase of Florida*, pp. 126-133, and H. E. Chambers, *West Florida and its Relation to the Historical Cartography of the United States*, in *J. H. U. Studies*, series XVI., no. 5.

⁴⁰ *Niles' Register*, February 27, 1819, XVI. 3.

TAXATION OF THE SECOND BANK OF THE UNITED STATES BY OHIO¹

AFTER the expiration of the charter of the First Bank of the United States in 1811 there was a great increase in the number of state banks, especially throughout the West. In Ohio there were four banks in 1811; by 1815 the number had grown to twelve, and in the following year nine additional banks were incorporated.² The charters of these early banks contained no clauses providing for specie payment, and no penalty for suspension, while the power of note-issue was apparently unrestricted. In 1817 additional banks were incorporated, on which for the first time restrictions were imposed; thus in the charter of the Bank of Hamilton it was first provided that the capital should be paid up in "money of the United States"; in that of the Bank of Gallipolis that a certain amount of money, \$20,000, half in specie and half in United States bank-notes, should be on hand before the bank could begin business.³ At best, however, the business of banking was new, there was little past experience to guide either legislators or bank managers, and many mistakes were made.⁴ On the other hand, the conditions in a

¹ In spite of its importance no complete or connected account of this event has ever been written. So far as it has been discussed, it has been treated either as an occurrence primarily of political interest (Turner, *Rise of the New West*, p. 300; McMaster, *History of the People of the United States*, IV. 497-504; King, *Ohio*, p. 336) or of constitutional significance (Ames, *State Documents on Federal Relations*, no. III, p. 5; Story, *Commentaries*, §§ 1649-1655; Cotton, *The Constitutional Decisions of John Marshall*, II. 84). By the people of Ohio who were engaged in the controversy, however, it was regarded almost wholly as an economic and financial question. In so far as they appealed to constitutional principles they did so under the pressure of an economic situation and to justify actions motivated by these conditions. While of course such action was not exceptional, the appeal does not necessarily prove conversion to the principles invoked.

² Albert Gallatin, *Considerations on the Currency and Banking System of the United States* (Philadelphia, 1831), pp. 100-103. From the figures given by Gallatin of banks which made returns and those which did not we may construct the following table of the number and capital of banks in Ohio between 1811 and 1830:

Date	No. of Banks	Total Capital
1811	4	\$ 895,000
1815	12	1,434,719
1816	21	2,061,927
1820	20	1,797,463
1830	11	1,454,386

³ W. G. Sumner, *History of Banking in the United States*, p. 92.

⁴ D. R. Dewey, *Financial History of the United States*, p. 144.

new and undeveloped country, where capital was scarce and exchange slow, led to the undue expansion of banking credit, which in those days took the form almost entirely of note-issues.

The numerous banks supplied an abundant circulating medium, far in excess of the real needs of the community. The loose credit system of selling public lands also led to bank-note inflation on the part of the local banks; and this was increased after the suspension of specie payments in 1814,⁵ by the action of the federal government in accepting state bank-notes in payment for the public lands and other public dues. After the war of 1812, moreover, the western country experienced a "boom" in which Ohio fully shared. "Speculation, stimulated by every incentive, ran into wild and extravagant excesses. Improvements of every kind, under its strong propulsion, advanced with wonderful rapidity."⁶ It was a period of inflation, of speculation, and of rising prices, which must ultimately terminate in a financial crash. Things were rapidly verging to this state, when the branches of the Bank of the United States, which had been chartered by Congress in 1816, were established at Cincinnati and Chillicothe. These branches issued their notes in Ohio to a very large amount, and as these were convertible they displaced the issues of the local banks. Consequently there soon developed strong opposition to the Bank in Ohio and also in other states.

Ohio had long been struggling against unauthorized banks, which had flooded the state with depreciated paper, and against agencies of banks chartered by other states, notably Pennsylvania and Kentucky, whose notes, more depreciated than those of the Ohio banks, were driving the latter out of circulation.⁷ In the session of 1815-1816, the legislature passed an act imposing a fine of \$1,000 on all persons acting as agents of any bank of issue chartered by the laws of another state; the use of the courts and of the processes of

⁵ "The suspension of the payment of specie by the city banks, instantly raised the demand for that article and excited a general distrust of bank paper. The country banks were compelled to close their vaults in self-defence. But the banks of Ohio were among the last to adopt this measure. Such, however, was the confidence of the community in the banking institutions, that the shock to paper credit was soon recovered, and paper passed currently as money, when it was known that it would not at pleasure be converted into specie. An unlimited confidence in bank notes soon diffused itself over the whole country, and banks were originated upon principles as new as they were deceptive and mischievous. An excessive issue of paper currency was the inevitable consequence." Rep. of Com. on Taxing the Bank, *House Journal*, 1819, p. 395.

⁶ S. P. Chase, *Ohio Statutes* (Cincinnati, 1833), I. 42.

⁷ An act of February 8, 1815, provided that all contracts with persons or firms issuing notes, without being authorized by law to do so, were to be void. Signing or issuing such notes was made punishable by imprisonment for one year and a fine not exceeding \$5,000.

justice were forbidden to all such agencies.⁸ This, it will be seen, was ten weeks before the establishment of the Bank of the United States (April 10, 1816), and fourteen months before the organization of the Cincinnati branch.

A year before the organization of the Bank of the United States Ohio had begun the taxation of banks in that state. The quota of the direct tax imposed upon the states by the federal government to help defray the expenses of the war had been paid by Ohio out of taxation, with only a temporary resort to loans. To raise this additional revenue the land tax was greatly increased and new sources of revenue sought out. Among these latter was a tax of four per cent. on its dividends on every banking company in the state.⁹ In this and subsequent acts relating to the local banks are to be found practically all the provisions later included in the law taxing the branches of the Bank of the United States, showing that the latter was not an isolated act. If any bank failed to report, the auditor was to levy one per cent. on the nominal capital of the bank; this assessment was to be presented to the bank by the sheriff, and if it was not paid at once, with four per cent. of the sum involved in addition for the sheriff's fee, he was authorized to levy on the specie and notes; if he could not find enough of these, he was to seize any other property of the bank, advertise, and sell it.¹⁰

In March, 1817, a branch office of the Bank of the United States was established in Cincinnati, and in the following October a second branch was organized at Chillicothe, although it apparently did not begin business until the spring of 1818.¹¹ This was done "without any enquiry whether such a measure would, or would not meet with the approbation of the constituted authorities of the state. At the time that this office was established it was in direct violation of the letter and spirit of a statute of Ohio, enacted before the Bank of the United States was incorporated."¹² While the establishment of the branch at Cincinnati seems not to have been opposed,¹³ there did exist statutes which might have been invoked against it. Nine

⁸ Act of January 27, 1816.

⁹ Act of February 10, 1815.

¹⁰ Cf. Act of February 8, 1819, taxing the branches of the Bank of the United States.

¹¹ *House Journal*, 1820-1821, p. 110.

¹² Rep. of Com. on Taxing the Bank, *ibid.*, 1819, p. 399.

¹³ Cf. Minority Rep., *ibid.*, 1820-1821, p. 391. This report explained the opposition which developed against the Bank as the result of the jealousy of local bankers whose business was adversely affected. "A kind of village aristocracy was erected in almost every town [by the establishment of local banks]. . . . Prejudice, first excited by those who had been engaged in flooding the community with an unsound currency, at length became quite general."

months' experience with the Cincinnati branch seems to have persuaded the legislators that it was detrimental to the success of the local banks,¹⁴ and that, as it was not paying any taxes while they were, it occupied a favored position. Accordingly, at the beginning of the next session, on December 13, 1817, Mr. McMillan moved the appointment of a joint committee to take into consideration the propriety and expediency of taxing the branches of the Bank of the United States, which then were or might hereafter be established in the state. This was agreed to.¹⁵ The committee reported against the "expediency" of levying such a tax. The chief argument advanced by the committee was that the charter was a contract, and that the constitution of Ohio provided that "no law impairing the obligation of contracts shall ever be made". This report was reversed by the house of representatives, 37 to 22.¹⁶

A substitute for this report was then offered, January 19, 1818, asserting the right of the state to levy such a tax, and the expediency of doing it at that time. The constitutional right of the state to levy such a tax was carried, 48 to 12, and the expediency of proceeding to levy the tax now, by 33 to 27.¹⁷ Among the arguments advanced in this substitute report chief reliance was placed, in asserting the constitutional right of the state to tax the branches, upon the fact that the charter of the Bank did not include exemption from taxation among the privileges claimed; that such immunity did not generally attach to incorporated companies, such as the Bank was; and that, inasmuch as the state banks had paid bonuses for their charters, any invasion of their charter privileges would be an impairment of the state's contract with them. On the question of expediency, the report concluded that "these branches must very seriously affect the operations of the state banks"; that "the capital introduced into the country through these branches, is directly calculated to wither our agriculture and cramp our manufactures"; and that they were "unquestionably a proper subject of taxation". To carry out the conclusion of the report a bill was introduced "to levy a tax on the capital of the subscribers to the Bank of the United States, employed in banking within this state". After it had been read a third time, on January 24, further consideration was postponed until the second Monday of the following December, by a

¹⁴ By a preamble and resolutions adopted in the house of representatives on January 19, 1818, disapprobation of the establishment of a second office was expressed; "but the directors seem to have regarded this expression as deserving no consideration". *House Journal*, 1819, p. 400.

¹⁵ *Ibid.*, 1817-1818, p. 90.

¹⁶ *Ibid.*, pp. 144-146.

¹⁷ *Ibid.*, pp. 307-315.

vote of 31 to 28.¹⁸ In the meantime, the committee was instructed "to make certain enquiries concerning the effect produced by the establishment and management, of the branches of the Bank of the United States in Ohio, upon the paper currency of the state".¹⁹

During the summer of 1818 the committee sent out a circular letter for information to the state banks and to the branches of the Bank of the United States. The former answered, with few exceptions, but the latter treated the request for information with "contemptuous silence" without "even the forms of common politeness", though the president of the Cincinnati branch "verbally and unofficially" stated his willingness to give the desired information. Nineteen of the state banks reported and five failed to do so.²⁰ From the data furnished the following table was compiled for these nineteen state banks.²¹

From data in the auditor's office the committee were able to give the capital of the twenty-four banks in the state as \$2,268,000, the circulating notes as \$1,336,000, and the specie as \$450,000. The whole amount of their demand liabilities very little exceeded \$2,000,000, against which they held a specie reserve of about 20 per cent. Compared with the 12 per cent. held by the Philadelphia banks on November 4, 1816,²² the Ohio banks were in a safe though not impregnable position. Some of the banks had, however, greatly overissued their notes and these institutions felt keenly the competition of the Bank of the United States.

The notes of the Bank were convertible in coin, were alike in character no matter by which branch they were issued, and were

¹⁸ *House Journal*, 1817-1818, p. 360.

¹⁹ *Ibid.*, 1819-1820, p. 393.

²⁰ "It is much to be regretted that a false pride or an unfounded jealousy should have prevented banks of undoubted solvency from making a report." Rep. of Com., *House Journal*, 1819-1820, p. 407.

²¹ *Ibid.*, 1819-1820, p. 405.

DEBTS		FUNDS	
Capital	\$1,668,688	Bills discounted	\$2,895.483
Notes in circulation	1,136,177	Specie	385,333
Due individual depositors ...	227,774	Ohio notes	121,936
Due Bank of United States..	694,848 ²²	Notes of other banks	135,551
		Due from banks	221,718
		Real estate	61,404
Total	\$3,727,487		\$3,821,425

²² Three of the banks did not report the debts due from them to the Bank of the United States, but the amount estimated by the committee has been included. Other reports were incomplete in various items, causing a discrepancy in the two sides of the balance-sheet of about \$100,000.

²³ Rep. of Com., *House Journal*, 1819-1820, p. 408.

pretty steadily maintained at par. Being equally good in all parts of the United States they were much sought after for making remittances. The notes of the local banks, on the other hand, depreciated greatly at any distance from the issuing bank, were often overissued in amount, and were not always redeemed in specie. It was the practice of the branches of the Bank to present the notes of the state banks, which accumulated in their hands in the ordinary course of business, for redemption about once a week. In such settlements the debtor bank must pay the balance in specie. This practice provided an automatic test of the solvency of the local banks, and forced them to keep down their note-issues to a reasonable proportion of their capital, but these very facts caused them to hate the agency by which such desirable reforms were effected.²⁴

Whether the Bank of the United States acted towards the banks of Ohio "in a spirit of contempt and rancor" or not, the management of the Bank was such as to involve the western banks generally in difficulties. Under the loose administration of William Jones, the first president of the Bank, the capitals of the branch offices were not fixed and they were permitted to extend their discounts at pleasure, without any limitation in that respect. There was moreover no restriction as to note-issues, and they could therefore issue their paper without check. This they did and consequently piled up enormous loans. For instance, the Cincinnati branch is stated to have discounted over \$1,800,000 in June, 1818—an amount almost as great as the loans at Boston or New York.²⁵ By October 3, 1818, the total discounts of the two branches in Ohio amounted to \$2,494,000, although the whole banking capital of the state did not exceed \$2,300,000.²⁶ As a result of the loose management the Bank soon became almost bankrupt, and vigorous measures were taken by the directors to secure its solvency. Among other things they ordered the Cincinnati office to collect the balances due from the Cincinnati banks at the rate of 20 per cent. a month.²⁷ These balances amounted on July 1 to over \$700,000,²⁸ and by Oc-

²⁴ The Committee on Taxing the Bank in 1819 charged that the branches of the Bank of the United States had been established in Ohio without any capital, and that they had accumulated this by draining the local banks of their specie in the way described above. Moreover a large amount of local bank-notes had been paid to the government for public lands and had accumulated in the Treasury Department. "The directors of the Bank of the United States were soon apprised of the amount of Ohio paper, held by the government upon deposit, and they early made arrangements to convert it into a banking capital for themselves." *House Journal*, 1819, p. 400.

²⁵ R. C. H. Catterall, *The Second Bank of the United States*, p. 34.

²⁶ *House Journal*, 1819, p. 401.

²⁷ Order of July 20, 1818. Quoted by Catterall, p. 51.

²⁸ *Niles' Register*, September 19, 1818, XV. 59.

tober 3 had swelled to \$974,000,²⁹ a sum which the banks were quite unable to pay. As a result it was further directed by the orders of October 30, that no further credits be given to the Cincinnati banks until the balances already due were discharged. At the same time the Bank drew upon Cincinnati for \$50,000 and on Chillicothe for \$100,000 in specie.³⁰

Intelligible as these transactions were from the standpoint of the Bank of the United States, which was striving desperately to strengthen and save itself from bankruptcy, in Ohio they were regarded as wilfully oppressive to the state banks. These latter endeavored to reduce their debts, but succeeded only in inflicting distress upon their debtors, who had neither specie nor notes with which to pay. The Cincinnati banks protested therefore against the action of the Bank of the United States as a "grievance unprecedented". The Bank could not afford to yield, however, and instead of granting more favorable terms, prohibited the receipt of the notes of these banks. This act brought about the suspension of the three Cincinnati banks within a month, in November, 1818.³¹

The attitude of the people of Ohio toward the branches of the Bank of the United States may be inferred from the platforms of the politicians in their appeals to the voters, for these are usually such as will approve themselves to the people. In the fall election of 1818, Col. John Sloane, a candidate for election to Congress from Wooster, Ohio, issued an address to the electors in which he announced himself strongly opposed to the Bank. "The power to create banks", he wrote, "not being granted [by the Constitution], the law establishing the United States' bank, is *unconstitutional*, and ought to be repealed."³² A month later Niles printed a letter from a citizen of Ohio, urging a tax on the branches of the Bank of the United States as a means of protection to the state banks.³³ In his

²⁹ *House Journal*, 1819-1820, p. 406.

³⁰ Catterall, p. 53, n.

³¹ Catterall, p. 63. It was stated by Niles in December that "2500 dollars, per week, are required to pay the *discounts* on monies loaned by the branch of the bank of the United States, at Cincinnati—the branch has scarcely any of its notes in circulation, and Ohio has been drained of specie. It is a serious question how these discounts are to be paid." "Many of those [the Ohio banks] that were considered as the best banks in the state, have stopped payment." *Niles' Register*, December 12, 1818, XV. 283.

³² *Ibid.*, October 24, 1818, XV. 130.

³³ The reasoning by which the legality of such a tax is proved is interesting. The Ordinance of 1787 provided that no tax should be imposed upon lands the property of the United States; the existence of this provision showed that without it the states might have taxed these lands or other property of the United States not expressly exempted. They therefore had a right to tax capital invested in the stock of a bank chartered by the federal government unless a stipulation

message to the legislature at the opening of the session of 1818-1819, the governor discussed the banking situation at length, and referred as follows to the Bank of the United States:

Since the incorporation of the Bank of the United States, and since the passage of the present law of this state against unauthorized banking companies, that institution has established, without asking leave, two agencies . . . whose course of proceeding, the banks loudly complain, cramps the operations, and diminishes the profits of the latter, as well as impairs the state revenues arising from these sources. . . . But whether the branches remain among us, of right, or by permission, and while the state banks are subjected to the imposition of taxes, or an equivalent, there appears no evident reason why those branches should be exempt. Their exemption would be a partiality, unjust to the local banks.³⁴

The house committee, finally, to whom the matter was referred at the previous session for report, recommended "the propriety of providing by law, that if the branches established within this state shall remain here and transact business, beyond a certain day, a tax shall be assessed and collected of \$50,000 annually upon each branch".³⁵ In accordance with this recommendation a bill was introduced into the legislature and was finally enacted into law on February 8, 1819. "Whereas the president and directors of the Bank of the United States have established two offices of discount and deposit in this State, at which they transact banking business, by loaning money and issuing bills, and by trading in notes and bills; and whereas it is just and necessary that such unlawful banking, while continued, should be subject to the payment of a tax for the support of government"—it was provided that if any of these associations continued in business after September 1 they should be taxed, the Bank of the United States \$50,000 per annum for each office, and every other company \$10,000. On September 15 of each year the auditor was to assess these taxes against the companies, and to make out his warrant to the agent whom he should appoint to collect the tax. In case of default, the agent was authorized to levy on the goods of the Bank or its credit; he could seize the specie or notes, searching the Bank for them. The officers of the Bank might be put to oath to disclose where the funds were, or they

to the contrary were made. As this had not been done in the case of the Bank of the United States, the right of the state to tax its branches was undoubted; and this was especially true because Ohio taxed her own banks, and if they were driven out of business by the Bank of the United States, the state would be deprived of a considerable revenue. *Niles' Register*, November 7, 1818, XV. 163-164.

³⁴ Governor's Message, *House Journal*, 1818-1819, pp. 92, 94.

³⁵ *Ibid.*, 1818-1819, p. 409.

might be summoned to court and examined, a refusal to answer constituting contempt. Debtors to the Bank must pay the state until the amount of the tax was reached. The sum collected was to be paid by the agent to the auditor and by him to the treasurer. The agent was to have, as his remuneration, two per cent. of the amount collected in specie or notes; five per cent. of goods taken in execution; and ten per cent., if further proceedings were required.

Similar taxes had already been laid on the Bank of the United States in five other states, namely, Maryland (\$15,000), Tennessee (\$50,000), Georgia (thirty-one and one-fourth cents on \$100 capital), North Carolina (\$5,000), and Kentucky (\$60,000), while the constitutions of Indiana in 1816 and of Illinois in 1818 prohibited the establishment of any but state banks within their boundaries. The subject was also debated in the legislatures of Virginia, South Carolina, and New York.³⁶

As to their constitutional right to levy such a tax, the majority of the Ohio legislature seems not to have entertained any doubt.³⁷ For two years they had seen it asserted in other states. Niles, the determined opponent of the Bank, had urged such action upon the states and had asserted their constitutional right so to do.³⁸ Finally, the only case bearing upon this point seemed to justify this conclusion. This point was urged by an Ohio legislative committee two years later.

At the period of adopting these measures [they wrote], the constitutional right of the state to levy the tax was doubted by none but those interested in the bank. . . . During the existence of the old Bank of the United States, the state of Georgia had asserted this right of taxation, and actually collected the tax. The bank brought a suit, to recover back the money, in the federal circuit court of Georgia. This suit was brought before the supreme court upon a question not directly involving the power of taxation. The supreme court decided the point before them in favor of the bank, but upon such grounds that the suit was abandoned, and the tax submitted to.³⁹ When the charter of the present bank was enacted, it was known that the states claimed, and had practically

³⁶ See Catterall, pp. 64-65.

³⁷ "The state right to tax the institution was strongly asserted, and almost universally believed in by the people." Chase, *Statutes of Ohio*, I. 43.

³⁸ "The states should take it up; and tax the mother bank and the branches out of every resting place except the ten miles square." *Niles' Register*, February 28, 1818, XIV. 5.

³⁹ The committee evidently refer here to the case of the Bank of the United States *v.* Deveaux (5 Cranch, 61), which was decided in 1809. This case involved the question as to whether the circuit court, in a suit brought by the Bank, had jurisdiction. The Supreme Court, to which the suit was appealed, held that it did and remanded the case for further action. It does not appear from this decision that the bank took any other action to resist the payment of the tax, and there is no further indication in the federal cases of what was done in the matter.

asserted, the right, of taxing it, yet no exemption from the operation of the power is stipulated by Congress. The natural inference, from the silence of the charter upon this point, would seem to be, that the power of the states was recognized, and that Congress was not disposed to interfere with it.⁴⁰

When the law taxing the Bank was passed in February by the Ohio legislature, its execution was postponed until the September following, in order that the Bank might have abundant time so to arrange its business as not to come within the provisions of the taxing law. By that time it was expected the Bank would have withdrawn from the state.

The year 1819 was marked by a crisis, the first in the United States. Its causes are stated by Dewey to have been "in part the inability of the manufacturing industries to recover a stable footing after the abnormal growth occasioned by the embargo and the war, and in part a spirit of speculation developed by the several years of rapid commercial expansion and bad banking".⁴¹ In the latter the Bank of the United States was a not inconsiderable factor, and, while it did not cause the panic, it certainly precipitated it by its abrupt curtailment of credits. "The Bank was saved and the people were ruined", wrote Gouge.⁴² In the West the distress was especially keen. Enormous loans had been made in that section, which had encouraged the spirit of speculation; much of the capital so borrowed had been recklessly managed and badly invested and could not now be repaid. Much had been loaned to farmers, who had mortgaged their farms and homes as security, and had pledged their future production and savings to repay these loans. It was usual to renew such notes from time to time, and when these debtors were now called upon to pay they were utterly unable to do so. In times of crisis such property is always unsalable, and in this case it had been greatly overvalued, and would not bring even the amount of the mortgage.

The Ohio banks made a noble effort to maintain specie payments, but with only partial success. Early in January, 1819, Niles wrote:

Two or three banks in Ohio still pay specie—but there are very few of their notes in circulation. This state is a prey to Jew-brokers and bank directors, more, perhaps, than any other. . . . To retire their notes from circulation and make a shew of solvency, it is said that some of

⁴⁰ "Report of the Joint Committee to whom was referred the report of the auditor relating to the tax collected from the Bank of the United States, December 12, 1820." *House Journal*, 1820-1821, p. 111.

⁴¹ Dewey, *Financial History of the United States*, p. 166.

⁴² W. M. Gouge, *The Curse of Paper-Money and Banking* (ed. Cobbett, London, 1833), p. 71.

the banks have given written obligations to the branches of the U. S. Bank, for very large amounts.⁴³

Owing to the adverse balance of trade and the drain of specie from the western country by the Bank of the United States, it was difficult to keep sufficient specie in the state. "It is estimated", wrote Niles in June,⁴⁴ "that 800,000 dollars in specie have been drawn from Ohio within the last twelve months, for the bank of the United States." Nevertheless, in midsummer there were still eight specie-paying banks in the state.⁴⁵ Three weeks later the number was reduced still further.⁴⁶ For these troubles the Bank of the United States was held to be primarily responsible.⁴⁷

There was owed to the Bank of the United States in Ohio and Kentucky on April 1, 1819, the sum of \$6,351,120, which was reduced less than \$1,000,000 three years later. The Bank consequently was compelled to foreclose its mortgages and realize upon them. "As a consequence of the transfer of real estate, the bank owned a large part of Cincinnati: hotels, coffee-houses, warehouses, stores, stables, iron foundries, residences, vacant lots."⁴⁸ Owing to the rapid appreciation in the value of property, the final losses to the Bank were very slight, amounting on August 30, 1822, to but \$94,156 in Cincinnati and \$25,579 in Chillicothe. The effect of this upon the former owners of these valuable properties may easily be imagined. There was moreover a general spirit of hostility to the Bank in the West, where it was regarded as an intruder, often against the constitution and statutes of a state, possessed of superior privileges, paying no taxes, and acting as mentor to the local banks.

In the meantime, while the feeling of hostility to the Bank was rising higher, the case of *McCulloch v. Maryland* was decided on

⁴³ *Niles' Register*, January 9, 1819, XV. 361.

⁴⁴ *Ibid.*, June 26, 1819, XVI. 298.

⁴⁵ *Ibid.*, August 14, 1819, XVI. 405. Eight specie-paying banks were reported a year later. *Ibid.*, May 20, 1820, XVIII. 224.

⁴⁶ "Of twenty-five banks in Ohio, the Western Herald informs us, there are at present but six or seven which redeem their paper with specie." *Ibid.*, August 28, 1819, XVI. 484.

⁴⁷ The governor put the situation very temperately and correctly in his message to the legislature in December, 1819: "Very little doubt appears to be entertained, that this pecuniary embarrassment has been hastened, by the operations of the Bank of the United States; but the leading cause, I suspect, will be more successfully sought, in the too expensive and injudicious use of their credit formerly made by some of the borrowers with hopes too sanguine to be realized in times like the present. These causes combined with an adverse balance of trade, and the fallen price of country produce, have conspired to prevent these institutions from redeeming their bills and preserving their credit, and circulation." *House Journal*, 1820, p. 10.

⁴⁸ Catterall, p. 67.

March 7, 1819, to the effect that the states were debarred by the federal Constitution from levying a tax upon a bank chartered by Congress.⁴⁹ The Ohio law, however, directing the auditor of the state to levy and collect the tax of \$50,000 on each branch of the Bank of the United States that should continue to transact business within the state after September 1, remained unrepealed. This law the auditor considered imperative on himself, in which opinion he was upheld by the governor, and he deemed it his duty under the law to execute its provisions, unless enjoined by proper authority.⁵⁰ The auditor was really placed in an embarrassing predicament, but held that as a state officer his first duty was to carry out the mandates of the state laws.⁵¹ On September 11 he was served with a notice that application would be made to enjoin the proceedings under the tax law. On the morning of September 15 the auditor was further served with a copy of a petition in chancery, praying that he be enjoined from charging the bank with the proposed tax, and also with a subpoena from the same court to appear to answer the petition on the first Monday of the following January. As no one of these documents constituted an injunction upon his proceedings under the law, the auditor issued his warrant to John L. Harper, for the collection of the tax.

Before delivering this warrant, however, the auditor submitted the various papers to the secretary of state and asked him to secure legal advice as to whether they did operate as an injunction. In reply he received the written opinion of several lawyers "that it did not appear that there was any order of court allowing an injunction, or any suit of injunction, or indeed any document whereby the defendant can be charged with notice of the contents of the petition".⁵² Accordingly he delivered the warrant to Harper with

⁴⁹ 4 Wheaton, 316. The text of the decision is given in full in *Niles' Register*, March 20, 1819, XVI. 68.

⁵⁰ Auditor's rep., December 9, 1819, in *House Journal*, 1820, p. 38.

⁵¹ Most of the accounts of the taxation of the Bank of the United States by Ohio seem to proceed on the theory that the action of Ohio was brought about by, and followed, the handing down of the decision of the Supreme Court in *McCulloch v. Maryland*. Thus McMaster (*History*, IV. 498) says it "was immediately defied and set at naught by Ohio", and later (p. 504) speaks of the "condition of depression and desperation . . . in Ohio". Schouler (*History*, III. 119, 246) states that "the decision was bitterly repudiated by the State officials, . . . who had attempted to levy a tax in defiance of its mandate". The writer is convinced, on the other hand, by his study of the documents, that the people of Ohio had a very good case against the Bank, that they were convinced of the justice of their position, and that they proceeded to test their rights in constitutional, legal, and peaceful ways. It certainly is unnecessary to stigmatize the conduct of the state as "senseless warfare", as does Schouler (*History*, III. 246).

⁵² *Ibid.*, p. 40. The accounts usually state that the auditor defied the injunction. Thus Hildreth (*History*, VI. 680) declares that "an injunction from the

instructions to proceed. The latter went to the branch at Chillicothe on September 17, and upon the cashier's refusal to pay the tax, jumped over the counter, "and with force and violence . . . did take from the said office money and notes to the amount of upwards of one hundred and twenty thousand dollars".⁵³ Five days later the amount in excess of \$100,000 was restored to the Bank. The money thus taken was paid into the Bank of Chillicothe after banking hours and kept there over night. The next day it was taken to Columbus, and \$98,000 was deposited in the Franklin Bank of that city to the credit of H. M. Curry, the treasurer of the state, the other \$2,000 being retained by Harper as his fee.

Meanwhile the injunction asked for had been served upon Osborn, the auditor, on September 18, in which he was directed not to collect the tax, nor pay it out if collected; he was also requested by the Bank to return the money collected. This he refused to do, as the matter had now passed out of his control.⁵⁴ Soon after this Harper and Orr, one of the latter's assistants, were arrested at the suit of the Bank in an action at law for the recovery of the money taken by them. Bail was required to double the amount of the money collected, and an action for habeas corpus having failed, they remained in prison until the following January, when they were released by the federal circuit court on the ground that the arrest was irregular.⁵⁵ On September 22 an injunction was granted by Judge C. W. Byrd, the United States district judge, restraining the auditor, the treasurer, and the depository bank from making any disposition of the moneys collected as a tax from the Bank.⁵⁶ In December Osborn made an elaborate report of all these proceedings to the legislature, which ordered five hundred copies of the report and accompanying documents printed for distribution.⁵⁷

After collecting the tax from the branch at Chillicothe Harper went to Cincinnati, armed with a similar warrant from Osborn, but was assured that the Cincinnati branch had discontinued business and was maintaining an agency only for the purpose of redeeming its paper. Consequently no effort was made to execute the warrant and collect the tax at this place.

Circuit Court of the United States was disregarded", and even Sumner (*History of Banking in the United States*, p. 153), careful and accurate as he is in most respects, errs in stating that an injunction was served on the auditor before the collection of the tax.

⁵³ Petition of the Bank of the United States, etc., in *House Journal*, 1820-1821, p. 53. The exact sum taken was \$120,425, of which \$7,930 was a treasury deposit belonging to the United States.

⁵⁴ Aud. rep., *House Journal*, 1820, p. 41.

⁵⁵ For an account of the irregularity in their arrest, see McMaster, IV. 499.

⁵⁶ *House Journal*, 1819-1820, p. 61.

⁵⁷ *Ibid.*, 1820-1821, p. 38-44.

On November 23, 1819, John Marshall, chief justice, granted an injunction against Osborn, Curry, and others, restraining them from making any disposition of the moneys collected as a tax from the Bank of the United States. The following January⁵⁸ application was made in the federal circuit court for an attachment against Osborn and Harper for contempt in disobeying the injunction of the previous September; but after argument the court decided to hold the case under advisement until the following September, on account of the important constitutional questions involved. During the interval a new state treasurer, Sullivan, succeeded Curry. When the case finally came up for trial in September, 1821, the latter in his answer stated that he had received \$98,000 from Harper, which he had held separate and unused, and had delivered to his successor. By an arrangement of the counsel of both parties a decree was entered, ordering Sullivan to restore the amount of the tax together with interest on \$19,830,⁵⁹ but providing that the interest, the \$2,000 withheld by Harper as his fee, and the costs be appealed for final decision to the Supreme Court of the United States. A perpetual injunction was also granted against the collection of any tax in future under the tax law of Ohio.

Sullivan contended that he could pay out funds in the treasury only upon the warrant of the auditor, but as no appropriation act had been passed for that purpose the auditor had no legal or constitutional authority to draw upon the treasury. Consequently he refused to obey the decree. The court placed him in custody of the marshal, and issued a writ of sequestration against all his property. Acting under this authority the commissioners named in the writ took from him the keys of the treasury, and entering the vault recovered the \$98,000 originally seized by Harper as the tax.⁶⁰ This was taken into court, and there delivered to the agents of the Bank. An appeal was taken, but it was agreed that the appeal should operate on the \$2,000 yet lacking. Not until 1824 did the Supreme Court finally hand down its decision.

Let us now return from this account of court proceedings to the attitude of the people and the legislature. We have seen the effects of the crisis of 1819 upon the local banks and the people of Ohio, and the part which the Bank of the United States played in the

⁵⁸ January 5, 1820.

⁵⁹ Of the \$100,000 taken, this amount was in specie, and \$80,170 was in bank-notes. *And. rep., House Journal*, 1820, p. 41.

⁶⁰ *Treas. rep., ibid.*, 1821-1822, p. 49. It does not appear that in these actions there was any intention to resist the orders of the court, but rather to insist upon the technical correctness of each step. The state officials were after all bound by state laws, and were justified in construing their meaning strictly.

financial troubles of this period. The results of the crisis and resulting depression were widespread throughout the entire Mississippi Valley. In most of the states, as Tennessee, Kentucky, Illinois, Missouri, etc., relief and stay laws were passed for the benefit of debtors. Ohio, on the other hand, enacted stringent laws in 1819 and 1820 to compel banks to meet their obligations, though they were not effective in maintaining specie payments on the part of all the banks.⁶¹ And this was done during a period when the falling prices made it additionally difficult for the farmers of Ohio to market their produce at a remunerative price. In the autumn elections of 1819 the taxation of the Bank was the most important issue, and at this time the opponents of the Bank were generally victorious; in one case a candidate received 1591 votes to 369 for his opponent (pro-Bank); in another, 1350 to 640, etc.⁶² The legislature of 1819-1820, however, took no further legislative action, as the matter was before the courts and wholly unsettled during the period of its session.

The legislature of 1820-1821 was all but unanimous against the Bank, and early in the session adopted a report giving utterance to

⁶¹ Some of the banks went out of business, the capital of the state banks declining from \$2,003,969 in 1817 to \$1,697,463 in 1819 (*Niles' Register*, March 25, 1820, XVIII. 77-78). In the latter year the circulation amounted to \$1,203,869, the public deposits to \$191,454, and the private deposits to \$263,000; against these liabilities they held specie to the amount of \$433,612, or 26 per cent., which represented a stronger position than that of 1818 (*supra*, p. 316). But the reserve was not equally distributed; eight of the banks succeeded in maintaining specie payments even through the crisis, but the notes of the rest were in varied stages of depreciation. This is well illustrated by the character of the funds held by the state treasury. A committee appointed "to enquire into the state of the funds in the treasury" reported (*House Journal*, 1820, p. 307) that \$141,336 consisted of bank-notes, of which \$78,180 were those issued by the Bank of the United States, \$21,210 of specie, and the balance, or \$51,850, of credits in banks, paper representing loans, and redeemed auditor's bills. "The nature of a part of the funds in the treasury", wrote the governor a year later (*House Journal*, 1821, p. 13), "has caused some difficulty, in transacting the business of that department. . . . There seems, however, reason to hope, that the greater part of these notes can be realized, at no very distant period. . . . Some of the banks, in doubtful credit at the last session of the legislature, are said to be engaged in closing their concerns; and a depreciated currency appears at this time, to be confined to a small portion of the state; but considerable distress is generally experienced, from the deficiency of a good medium of exchange. . . . [There is] danger of depreciation, so long as the debts contracted to the eastern merchants, to the Bank of the United States, and at the land offices (debts equally required to be drawn from the state) shall remain to any considerable extent unsatisfied; and money rather than security will probably continue to be required in negotiations, till the payment shall be nearly completed—a consummation which the extremely low price on our produce and the heavy charge on its transportation, delay and render difficult."

⁶² *Niles' Register*, October 30, 1819, XVII. 139.

high state-rights doctrines. This is referred to by several writers as evidence of strong hostility to the centralizing tendency of the federal government and of a reaction towards state sovereignty.⁶³ It must be clear, however, that the legislature and people of Ohio were actuated in their attitude towards the Bank by no political theories, but rather by an economic situation. In so far as appeal was made to theories of government, it was merely to find constitutional justification for economic motives by which they were guided. That Ohio was not hostile to federal action even within the state limits, is seen by her request to Congress to assist in building her canals, made during the very period when the Bank case was being disputed; by her approval of the Cumberland Road; by her position on the tariff, all the votes of Ohio congressmen being cast in favor of protection in both 1816 and 1824; and by her attitude towards the disposition and taxation of the public lands. In all these cases her position was determined by the economic advantages to be obtained, and not by any *a priori* theories of political relations.

On December 12, 1820, the report just mentioned was made by a joint committee of the legislature, "to whom was referred the report of the auditor"⁶⁴ relating to the tax collected from the Bank of the United States".⁶⁵ Owing to its importance a brief statement of the main arguments may be presented. After reviewing the transactions of the Bank and the passage of the tax law, with the resulting suits, the committee hold that though the state auditor and treasurer were made defendants in suits brought by the Bank, it was in their official capacity as agents of the state. But, according to the Eleventh Amendment, a state cannot be sued, hence the suits had no standing, especially in a *circuit* court.⁶⁶ The committee declare that they are aware of the doctrine that the federal courts are exclusively vested with jurisdiction to declare, in the last resort,

⁶³ E. g., Ames, *State Documents on Federal Relations*, no. III., p. 5; Turner, *Rise of the New West*, p. 300, which follows the account of Ames.

⁶⁴ See *supra*, p. 324.

⁶⁵ *House Journal*, 1820-1821, pp. 98-132. The text of the report and seven resolutions is also given in *Senate Documents*, 16 Cong., 2 sess., no. 72; in *Executive Documents*, VI., no. 88; in *Annals of Congress*, 16 Cong., 2 sess., pp. 1686-1714; and in *American State Papers*, Misc., II. 643-654. Extracts from the reports, with the first seven resolutions, are printed in Ames, *State Documents on Federal Relations*, no. III., pp. 6-13. The resolutions alone are given in Niles, XIX. 339-341. In all these, however, the first seven resolutions only are given, the eighth and last being omitted. The *House Journal* gives eight, as described below. King (*Ohio*, 337) states that the report was drawn up by Charles Hammond, the counsel of the state in the Bank proceedings.

⁶⁶ Apparently the fact that the restraining injunction had been granted by the *circuit* court rankled more than the decision of *McCulloch v. Maryland*.

the true interpretation of the Constitution of the United States, but "to this doctrine, in the latitude contended for, they can never give their assent". The committee quote with approval the Kentucky and Virginia Resolutions, which they maintain that the states and people recognized in the elections of 1800.

The committee then take up for examination and review the "case of Maryland and M'Colloch". "And upon the promulgation of this decision it is maintained that it became the duty of the state and its officers to acquiesce, and treat the act of the legislature as a dead letter. The committee have considered this position, and are not satisfied that it is a correct one." They examine at great length the reasoning in *McCulloch v. Maryland* and criticize it adversely. The power of Congress to *charter* a bank is admitted, but the claim is made that such a bank is a *private* corporation, not a means of government, and hence its business may be controlled by the states. The conclusion is finally reached after a lengthy refutation, that "a power in the states to tax, or even to prohibit a trade in bills of exchange and gold and silver bullion, is not a power to destroy the corporate franchises of the Bank of the United States. . . . The power to tax their trade, is not a power to destroy the corporation." In the opinion of the committee the Bank of the United States is a mere private corporation of trade, and as such its trade and business must be subject to the taxing power of the state. In reply to the argument that the tax is excessive in amount and therefore unjust, the committee urge that it was levied as a penalty, and it was not supposed the Bank would venture to incur it, but would withdraw its branches.

However, the committee recommend a compromise: if the Bank will discontinue the suits, and withdraw the branches from the state, the amount of the tax shall be refunded. But they urge that the general assembly do not stop here. The reputation of the state has been assailed throughout the United States, and the nature of the controversy, and her true course of conduct have been very much misunderstood. The general assembly should therefore take measures to vindicate the character of the state, and also for awakening the attention of the separate states to the consequences that may result from the doctrines of the federal courts. And as the compromise may not be accepted, they should assert and maintain the rights of the state, by all constitutional means within their power.

Since the exemptions claimed by the bank are sustained upon the proposition that the power that created it must have the power to preserve it, there would seem to be a strict propriety in putting the creating

power to the exercise of this preserving power, and thus ascertaining distinctly whether the executive and legislative departments of the government of the Union, will recognize, sustain, and enforce the doctrine of the judicial department.

[For this purpose the committee recommend the outlawry of the Bank and the withdrawal from it of legal processes and remedies.]

The adoption of these measures will leave the bank exclusively, to the protection of the federal government, and its constitutional power to preserve it in the sense maintained by the supreme court may thus be fairly, peaceably, and constitutionally tested.

The committee conclude by recommending the adoption of eight resolutions: (1) an affirmation of the Kentucky and Virginia Resolutions (passed 59 to 7); (2) a protest against the actions of the circuit court (59 to 7); (3) assertion of the right to tax any private corporation of trade incorporated by Congress and located within a state (unanimous); (4) assertion that the Bank of the United States is a private corporation of trade, the capital and business of which may be legally taxed in any state where they may be found (unanimous); (5) protest against the doctrine that the political rights of states may be settled in the Supreme Court, in cases contrived between individuals (64 to 1); (6) the report and resolutions to be transmitted to other states for their opinion (unanimous); (7) also to the President and Congress (unanimous); (8) that bills be prepared and brought in, to carry out the recommendations of the report. The following day the house ordered 1,000 copies of the report and accompanying documents printed and bound in pamphlet form;⁶⁷ at the same time the senate also ordered 650 copies for its use.⁶⁸

Six members of the minority in the house subsequently drew up a report protesting against this report.⁶⁹ They contended that the constitutional right of Congress to establish the Bank of the United States was "absolutely at rest". They protested against the view that the suits were contrary to the Eleventh Amendment. And finally they held that the tax of \$100,000 was unjust, as shown by the desire of the legislature to compromise.

In pursuance of the recommendations of the majority report, two acts were passed by the legislature, threatening reprisals on the one hand and suggesting concessions on the other. The first of these was "an act to withdraw from the Bank of the United States the protection and aid of the laws of this state, in certain cases".⁷⁰

⁶⁷ *House Journal*, 1820-1821, p. 134.

⁶⁸ *Senate Journal*, 1820-1821, p. 119.

⁶⁹ February 2, 1821. *House Journal*, 1820-1821, pp. 386-393.

⁷⁰ Act of January 29, 1821. Chase, II. 1185. The house passed this act by a vote of 47 to 11. *House Journal*, 1820-1821, p. 324.

Sheriffs and jailers shall not, after September 1 next, take into custody persons arrested at the suit of the Bank. Officers of justice shall not receive acknowledgments for the Bank. Notaries public shall not make protest of notes payable to the Bank. Heavy penalties were provided for violating the law. The last section of the act provided, however, for the suspension of these provisions under certain conditions. If the Bank would discontinue its suits against the state officers, and would in future submit to an annual tax of 4 per cent. on the dividends of its business in Ohio;⁷¹ or if it would withdraw its branches, then the act should be suspended.

Four days later a second act was passed setting forth still more explicitly the terms upon which the state was willing to compromise.⁷² The legislature stated its willingness to refund the excess of the tax over 4 per cent. on the dividends. Whenever the Bank will withdraw its suits against the state officers and will submit to the payment of a tax equal to 4 per cent. on its dividends, or if the Bank will withdraw its branches from the state, \$90,000 will be refunded to it. And in future a tax of \$2,500 shall be collected annually as a tax, or else 4 per cent. on the dividends. No attention was paid to these proposals by the Bank, and the act of outlawry accordingly went into effect the following September. It does not seem to have been observed, however, but remained a dead letter on the statute books until it was finally repealed five years later, on January 18, 1826.⁷³

No further legislation was enacted relative to the Bank of the United States. In 1822 a resolution to repeal the law levying the tax on the branches of the Bank of the United States was rejected in the senate, 27 to 6.⁷⁴ By this time the bad effects of the crisis of 1819 had largely passed away, the necessary liquidation had taken place, and prices were rising again. The attention of the people and the legislature was moreover being absorbed by other topics of even greater interest, namely, schools and canals. When the case of *Osborn v. the Bank of the United States* came up on appeal before the Supreme Court at the February term, 1824, there was no excitement. The decree of the circuit court was affirmed, except that interest should not be paid on the coin part of the money taken.⁷⁵

⁷¹ This was the rate of taxation on Ohio banks.

⁷² Act of February 2, 1821. Chase, II. 1198.

⁷³ *Ohio Laws*, ch. 675, § 1.

⁷⁴ *Niles' Register*, January 5, 1822, XXI. 303.

⁷⁵ March 19, 1824. 9 Wheaton, 739.

As soon as the decision was announced Ohio acquiesced fully, and made no further effort to contest the point at issue.⁷⁶

Throughout these proceedings [wrote Salmon P. Chase, then a young lawyer in Cincinnati] the state and her officers manifested the utmost respect for the constitutional tribunals of the country. They believed, conscientiously, that the state possessed the right to tax the bank, and measures were taken for the exercise and enforcement of that right. But in no instance was any indignity offered to any judicial tribunal, nor was resistance, in any case, opposed to judicial process. The state was true to the principles which had characterized her former course; and when the supreme court decided against her, she exhibited an example of dignified and unconstrained submission to the judgment of that high arbiter.⁷⁷

ERNEST L. BOGART.

⁷⁶ It is not clear what is meant by the allegation in Turner, *Rise of the New West*, p. 300, to the effect that Ohio "even persisted in her resistance after the decision (*Osborn vs. Bank of the U. S.*, 1824) against the state". I have not been able to find any warrant for this statement.

⁷⁷ Chase's *Statutes of Ohio*, I. 43.

DOCUMENTS

Secret Reports of John Howe, 1808, II.

IX. HOWE TO PREVOST.¹

Sir,

The same pleasure which I found at first in passing thro' New England, I had renewed with increased satisfaction, on finding that the opposition to the measures pursued by the Government was daily gaining ground; and I was assured by very respectable Men in the sea-ports in Connecticut that whole districts had agreed to wait until the Meeting of Congress in November in expectation that the Embargo would be then removed, but if it was not then taken off, they have determined to open the Trade themselves.

At Boston I found the same disposition still more strongly manifested; the discussions at the Town Meeting for the suspension of the Embargo,² had been very warm, and the measures of the government censured with a Freedom and severity unprecedented. Similar Town Meetings are assembling in most of the Towns in New England. The Leaders of the Democratic Party have handed about a counter petition, and transmitted it to the President. This example the other Towns where Democracy prevails, are following; but none believe the President will suspend the Embargo, till the Meeting of Congress; beyond that period I do not think it will be in the power of the Government to enforce it. The Revolution which has taken place in Spain, and bids fair to effect the Independence of South America, has excited a great desire in these Northern States, to open a commercial intercourse with that part of the American Continent. The resources which South America opens to Great Britain, and the demand which that trade must make for her manufactures, has fully convinced many in this Country who were before attached to the Embargo, of the folly of any longer continuing it. They are now convinced that there is more danger of ruining themselves, than there is probability of destroying the Manufactures of Great Britain. Could Mr. Jefferson and the Party connected with him see any prospect of effecting the latter object, there is no privation they would not submit to to effect it; nor do I think a cordial reconciliation between the two Countries can be effected, while the present ruling Party continues in power.

The Federal Party is composed of Men of the greatest property in the Country, and of the most respectable Talent, and Characters.

Since my return to New England my hopes are revived that Mr. Madison will not be elected to the Presidency; In the Calculation of votes, Mr. Jefferson and Mr. Madison reckoned on New-Hampshire,

¹ This letter concludes the series of Howe's reports written during his first journey. It was written early in September, 1808, as is shown by internal evidence. Apparently it was written from Boston, in the course of the writer's return to Halifax.

² Town meeting of August 9. For the petition addressed by it to President Jefferson, see Boston Record Commissioners, *Thirty-fifth Report*, p. 238.

Rhode Island and Vermont; the Elections of the two former have been Federal and scarce a doubt is entertained that Vermont will be the same. If Governor Sullivan does not put a negative on the choice of Electors for Massachusetts, all the votes of New-England will then be in favor of a Federal President. If he does negative the choice of the Legislature, which many think he will not have the temerity to do, he will excite such an irritation as will not be easily suppressed.³

If the issue of the Elections, and the enquiries as to the strength of their party should furnish a probability to the Federalists that they might with safety name Candidates for the Presidency, it is the wish at Boston to nominate Charles Cottesworth Pinckney of North Carolina as President, and Rufus King as Vice President; if they cannot run them with a probability of success, they will then agree with a strong party at New York, who wish to bring in Governor Clinton as Presid[en]t and Mr. Monroe as Vice Presdt.

The Embargo has completely federalised all the New-England States, and may eventually lead to a division of the Southern and Northern States, and such is the difference of sentiments and habits between them, and the acrimony with which they speak of each other, that such an event is by no means improbable, and indeed many openly express their wish that it may take place.

The meeting of Congress in November is now looked forward to by all parties with the greatest anxiety; it is agreed by all, that some change in the system will then take place. Though Congress in its ensuing Session will be composed of the same members it was at its last Meeting, yet the late Elections in New England have shewn by their choice of different persons for the New Congress in March, that they disapprove of the conduct of the present men, and they, whatever may be their wishes, must in some measure sacrifice them to the evident change in Public Opinion.

The Recruiting for the 6000 Men goes on very slowly indeed, though recruiting parties are now beating up in all the principal Towns, and though so many people are thrown out of Employment by the Embargo.

The Publications of Sir F. Baring, Mr. Roscoe, and the Speech of Mr. Brougham before the House of Commons, with the Ex: parte Evidence of Mr. Glennie and others,⁴ have done infinite mischief in America. This last book I found in the hands of many at Baltimore, and it furnished conversation in all companies. The Friends of the Administration, and they are very numerous in Baltimore and Virginia seized upon it as a complete vindication of the Measures of the President, and as furnishing a hope, that they should by a Continuance of the Embargo, and the foolish story of Manufactures so materially injure Great Britain as to compel her to repeal the Orders in Council, give up the

³ See Amory's *Life of James Sullivan*, II. 300-303. 311-312.

⁴ Alexander Baring (not Sir Francis), *An Inquiry into the Causes and Consequences of the Orders in Council*, and an *Examination of the Conduct of Great Britain towards the Neutral Commerce of America* (London, 1808, several editions); William Roscoe, *Considerations on the Causes, Objects, and Consequences of the Present War* (London, 1808, several editions); *The Speech of Henry Brougham, Esq., before the House of Commons, Friday, April 1, 1808 . . . against the Orders in Council* (London, 1808, several editions); *Evidence before the House of Commons, on the Petitions of London and Manchester Merchants, respecting the Orders in Council* (London. 1808).

right of search for Seamen, and suffer their Flag to Cover all their impositions.

When I visited this Country 19 years ago, I found a great rage for Manufactures; there were several on a very extensive scale; on my present I enquired after these Manufactures, and found they had long since ceased to exist. There cannot be a greater burlesque than to talk of manufacturing in a country where twice as much is to be obtained from the export of their raw materials as they can gain by manufacturing them; where more than two thirds of the Lands are still uncultivated; and where a common labourer can earn from a Dollar to a Dollar and half per day.

At Salem, Boston, New-York, Philadelphia and Baltimore I have witnessed the rapid increase of wealth to all engaged in the India Trade which Great Britain had granted them under Mr. Jay's Treaty, to the great injury of our East India Company by Smuggling into our Islands, and into every part of our Territory, where they have intercourse, immense quantities of India goods.

The disposition of the present Government in America, in its enmity to Great Britain and its partiality to France is manifest by all its actions. An instance occurred a few days before I left Boston: The British ship *Minerva* from Liverpool with salt etc., after discharging her cargo, took in ballast, cleared out for Passamaquoddy to load there with Lumber and was dropping down the Harbour, when she was boarded and seized by the Marshall for having procured three new gun carriages, and two or three boarding Pikes. She was libelled before I left Boston, for arming in the United States. As a contrast, two French Privateers, one of which had taken the *Duke of Montrose* Packet, were accommodated in every way with repairs and supplies. I have the honor to be etc., etc., etc.

[Signed] JOHN HOWE.

His Excellency
Lt. Genl. Sir G. Prevost Bt.
etc., etc., etc.

[Endorsed:] In Sr. G. Prevosts
Letter to Mr. Cooke
23 Sept. 1808

[Copy]

X. QUERIES AND INSTRUCTIONS FOR HOWE.⁵

No. 1. To ascertain in each of the Governments of the United States whether any Foreign influence prevails therein, and the name of the State, Nation or Country on behalf of which, such influence appears: if possible also find out, the persons and Channels whereby such influence is exerted or Carried on, and by what means, whether by bribery and personal advantages held out, or by Commercial and other national benefits proposed.

No. 2. Ascertain the names of the Persons who appear to be the most leading characters, or who have the most influence in each of the United States, and how the influence of one State preponderates with that of another; also which of the States possesses the largest share of power in the General Government.

⁵ These were prepared for Howe's second journey. See the introduction, pp. 73, 74.

No. 3. Ascertain what proportion the two contending parties in America, namely the Federalists and democrats bear to each other.

No. 4. Ascertain in what proportion the Federalists incline towards the interest of Great Britain or France in the present War, so in like manner the proportion of the Democrats who expouse the Cause of either nation.

No. 5. To ascertain whether the present election for President and Vice President has caused any disension in either of the Federalists or democratic parties, and if any such appears the particular Causes which have produced the same.

No. 6. To ascertain whether the elections for the New Congress afford any reasonable prospect that either the Federalist or democratic party will gain an increase of Strength at the meeting of such Congress, greater than the same party held in the old one, also to mark the States in which an alteration of opinion has given rise to such change, and if possible to ascertain the causes of such alteration.

No. 7. To ascertain whether any, and what alteration has taken place since the last meeting of Congress in the strength of the Federalist and Democratic parties, as it existed in those bodies the last session, and in favor of which Side such alteration if any appears to be also whether there is any thing like a third party appearing in either house of congress which does not take a decided part with either of the before-mentioned parties.

No. 8. To ascertain the probable effect of the election now about to close in America,⁶ and how far the interests of Great Britain or France have been benefited or deteriorated by that event.

No. 9. To mark particularly whether the opinions of the President of the United States have undergone any, and what alteration since the last meeting of Congress, whether from his public communication to the Congress at the new Meeting, or in any other way he appears to waver from the measures which he so strenuously pursued at the last meeting, or whether he still appears determined to persevere in the same line of conduct.

No. 10. To ascertain the general reasons assigned as the causes of hostility to Great Britain by those in America who are inimically inclined towards her.

No. 11. Likewise the general reasons assigned by those who support the interests of France as the cause of their partiality to that Country.

No. 12. Ascertain what measures are generally considered by those unfriendly to Great Britain as most likely if adopted by America, to prove most injurious to her, so on the other hand what measures as considered by the friends of Great Britain as most likely to promote her interests if carried into effect in America, and what Steps would be most likely to counteract the measures of the one or to promote the views of the other.

No. 13. To ascertain whether any and what measures if adopted by Great Britain at the present moment would have a tendency to influence in her favor, either of the parties into which the different houses of congress are at present divided.

No. 14. Find out how the general opinion in America has been affected by the recent events in Spain and Portugal, and what consequence would probably result from the measure if Great Britain had

⁶ The autumnal elections of 1808.

sufficient influence with the Governments of those Countries to stop any commercial intercourse between them and the United States; enquire whether the alliance between Great Britain, and Spain and Portugal is not considered as a powerful advantage to Great Britain in case of a War with the United States, and whether such alliance is not on that account likely to render the United States more apprehensive of a War with Great Britain.

No. 15. To ascertain whether the Government of America receives any public accredited Agents from the present Governments of Spain or Portugal, or if any Secret intercourse appears to exist between that Government and those Countries in their present state and whether the Agents of the old Governments of those Countries still continue to exercise their respective functions under the Government of America, and remark whether any and what alteration has taken place in that respect.

No. 16. To ascertain whether the change in the Government of Spain has excited any [and] what apprehensions in the American Government respecting the acquisition of Louisiana, and whether any increase of the Naval and Military force of America has taken place in that quarter in consequence of recent events.

No. 17. Ascertain in what proportion each State has suffered in consequence of the General Embargo, and how each state is disposed as to the propriety of continuing that Measure, also whether there is any probability if the Embargo should be persevered in by the General Congress of the Country, that it would be openly resisted by any and which of the States, enquire whether it is apprehended that a resistance to the Embargo would probably lead to a separation of the United States, whether a separation is wished by any political,[†] or by any State in particular, whether a separation is considered as an event very injurious to the Country at large.

No. 18. Has America suffered any and what loss or inconvenience from the execution of the Laws prohibiting the importation of certain manufactures from Great Britain, and whether there is any probability of this measure being still continued, also to ascertain how Great Britain by prohibiting any particular branch of commerce to America could best retaliate for such unfriendly conduct, and whether and what states have particularly suffered loss from the operation of the non importation System from Great Britain.

No. 19. To ascertain the probability of the continuance of the Embargo, also the motives from which that Measure originated, namely whether as a measure to promote the individual interests of America, or as one friendly or unfriendly to the interests of Great Britain or France, and how far the interests of either nation has been particularly affected by that measure in the general opinion of the people of America.

No. 20. Ascertain what Measures the friends of France wish America to undertake as most likely to serve her interests, and what measures those who are not amicably inclined to France, consider would be most injurious to her, if carried into effect by America, also how far it is in the power of Great Britain by any proceeding on her part to prevent the one or to forward the other.

No. 21. Ascertain how far those who compose the General Govern

[†] Sc. party.

ment of America, or what States in particular are disposed openly to engage in War with either Great Britain or France, and what proportion the advocates for open war, bear to those who are generally for pacific measures.

No. 22. To ascertain what proportion the advocates for open War with Great Britain, bear to those who are inclined to War with France.

No. 23. To ascertain what measures if adopted by Great Britain would have a tendency to influence the Opinion of America, so as to give a preponderating weight to the cause of Great Britain in opposition to that of France; what circumstances, or what conduct on the part of Great Britain or France is likely to produce an immediate rupture with either power.

No. 24. To ascertain whether the measures adopted by Great Britain towards the United States of America since the last meeting of congress appear generally to have made a favorable or unfavorable impression on the minds of the people of that Country, and whether there yet appears in the general Opinions anything further which they think should be yielded by Great Britain.

No. 25. To ascertain how the recent orders of His Majesty in Council respecting the intercourse of neutral nations with France are generally considered in America, whether they are viewed as a measure particularly hostile to America, or as one resulting of necessity from the previous unlawful prohibitions of neutral commerce on the part of France, what injury has been suffered by the late orders of Council and by what States in particular.

No. 26. To ascertain whether the extention of His Majesty's Orders to a prohibition of Neutral Commerce with the Colonies of His Majestys enemies, would have any and what influence on the public mind in America.

No. 27. To ascertain the Amount of the regular Military Force of America, now in actual pay, and to what extent of preparation the same has attained so as to fit it for actual Service.

No. 28. To ascertain what provision has been made for the increase of the regular Military Establishments of America, and how far such measures have been attended with success or otherwise; whether any and what new measures are in contemplation for that purpose, and as far as possible to ascertain the probable success likely to attend the steps now in operation, as well as those likely to be adopted in future for the same end.

No. 29. To ascertain the number of Militia mustered in each state, how organized and disciplined for Military Service, also how far the Militia of each state are furnished with Arms and other necessary equipments to enable them to take the field, and what quantity of Arms are supposed to be in the United States.

No. 30. To ascertain whether any and what measures have been taken in each, or any State to place any and what proportion of the general body of the Militia, at the disposal of Government, and whether any and what Steps have been adopted to prepare select body in a better, and more effectual state of equipment for actual service than those are in who compose the general mass of the Militia.

No. 31. To ascertain whether any and what draft either under the description of Volunteers or otherwise have been made in any and which of the States for the purpose of being fitted and prepared for actual

Service, and the extent of forwardness to which such preparations have been carried.

No. 32. To ascertain how the regular Army of America is at present distributed, where the principal bodies of that force are now stationed and to ascertain the same points respecting the Militia if any part thereof shall appear to be embodied and called into actual Service; how and by what discription of persons the regular army and the Militia of the States are Officered, whether of the Federal or democratic parties, whether disposed to War with Great Britain or France, and whether under the influence of France, whether they have seen service, whether much confidence is placed in them, and who are considered as the most able Officers; whether the people in general are disposed to Volunteer or enlist, or whether they have any dislike to Military Service.

No. 33. To ascertain what Military Fortifications are now carrying on in the United States, the places where such works are in operation, the general extent of the same, and how far they are calculated as a defence from an attack either by Sea or by land.

No. 34. To ascertain the extent of the Naval force now actually employed in the Service of the United States, and to what extent with the present existing means the same could probably be increased within a period of Six Months.

No. 35. To find where the principal Arsenals of the United States are situated, how fortified and defended from attack either by sea or land, and whether any extraordinary or unusual degree of activity appears to prevail therein, whether any new arsenals are forming and Naval Stores collecting, or any contracts entered into for that purpose.

No. 36. To ascertain what ideas are entertained as to the feasibility and mode of attacking Canada, New Brunswick, and Nova Scotia, and whether by Sea or land, whether the inhabitants of those provinces, or any or what part of them are considered as having any partiality for or attachment to the United States, whether it is supposed that there is any disposition to favor or assist the United States in case of War, with Great Britain, or to Separate from Great Britain and enter into the confederacy of the United States.

[Copy.]

[Endorsed:] Queries and Instructions
to Mr. Howe.

In Sir George Prevost's
of 30th Nov.^a

XI. HOWE TO PREVOST.

BOSTON November 16th 1808

[Copy.]

Sir,

I have the honor to acquaint Your Excellency, that I arrived at Boston, on the evening of the 14th Instant. It rained so excessively Yesterday that I had it not in my power to do much, except call in the morning at the Custom house with Lieut: Bury, to report our arrival, and that I was the bearer of Dispatches to the British Minister. We

were treated very politely, and Mr Skinner who accompanied us, was informed that he was at liberty to furnish such Provisions as the *Cuttle* might need during her stay.

I have today collected the Newspapers the Contents of which your Excellency will find extremely interesting. The President's speech has already become the subject of just and severe animadversion here. It is descriptive of a circle, which his own Artifices have thrown around him, and from which he knows not how to extricate himself. After wasting the Season in sending Messenger after Messenger to France, and knowing that he could not meet Congress without some appearance on his part of a pretended wish for a *reconciliation* with England, the Schooner *Hope* was at length dispatched to England, after the return of the *Osage*. The Letter of Mr. Pinckney to Mr. Canning, presented on the arrival of the *Hope* in England, Your Excellency will find among the papers I now transmit you.⁹ Mr. Canning's Note in reply, is replete with the most happy Irony, and is at the same-time so dignified and decisive, as completely to defeat the insidious proposal of Mr. Pinckney, and to shew to the American Government, that Great Britain neither fears its hostility, nor very anxiously courts its friendship.

The intentions of Mr. Jefferson in consequence are already manifest in the Resolutions brought forward in Congress, by his Son in Law Mr. Eppes,¹⁰ who proposes a non intercourse Law to put a stop to all intercourse between the Countries; and in addition to this, to place at the President's disposal a large body of the Militia, as supplementary to 100,000 which were liable to be called out by the Resolutions of Congress adopted in their last Session. These proposals have already excited the deepest sensations here, where the evil of the Embargo itself has become too intolerable to be borne; but Mr. Eppes's proposal to draw the cord still tighter, if carried into effect will most assuredly hasten a crisis, to which the Embargo itself is fast precipitating this ill fated Country.

In expectation that Congress would take off the Embargo, a great number of Vessels, both here, and in the neighbouring harbours have been fitted for sea. Several ships have sailed from hence to the Southern States, to be ready to take in freight; and a spirit preparatory to future enterprize, was beginning to shew itself every where. The expectation of the owners of these Vessels is now in a fair way to be blasted, and a spirit of indignation is already manifesting itself in a way that indicates an interesting issue to be at no great distance. At Portland, a Ship and two Brigs, have gone to sea with Cargoes, in defiance of the *Wasp* Sloop of War, which had been sent there to prevent them. Several have also sailed from Cape Ann, and a Brig and another Vessel, sailed in the same manner four nights ago from Cape Cod, loaded with Fish. The Brig was seen and fired at by one of the Gunboats, but she went off in defiance of her.

The General Assembly of this State is now in Session. The Electors for President are already chosen, and are all Federal; and fearing the Governor, should negative their choice, the Legislature were the whole day Yesterday debating the Question whether the Governor had any right of interference, and though both the Letter of the constitution, and the former practice under it, determine that he has, they have now

⁹ Pinkney's letter of August 23, 1808, is in *American State Papers, Foreign Relations*, III. 228; Canning's reply of September 23, *ibid.*, 231.

¹⁰ Eppes's resolutions, offered November 10, 1808.

decided that he has not. Thus it is that the power of party in this Country, batters down all the mounds their Constitution has established, and though they by this means accomplish their present purpose, it is establishing a precedent, which will at some future time, stare them in the face, where they have some other favorite object in pursuit. Striking indeed is the happiness we enjoy under our well poised constitution; and this is rendered still more striking when contrasted with the heterogeneous changeling Constitutions of this whimsical age in which we live.

The Assembly here are preparing a spirited address to Congress,¹¹ demanding a repeal of the Embargo Laws; And today it is also suggested, that if this will not procure the removal of it, they have it in contemplation to bring forward resolutions declaratory of the *Unconstitutionality* of an Embargo for so long a period, and thus to sanction an open opposition to it.

It was intended the *Cuttle* should sail on Sunday; but finding that a Mail from Washington will arrive here on Sunday noon, I have expressed a wish to the Acting Consul, that she should not depart without the Washing[ton] Papers, which I have the promise and which I have left directions to have enclosed to your Excellency.

I shall leave town tomorrow, and proceed without any delay to Washington, as I am anxious to arrive there as soon as possible, I shall fix, as I go on with the consuls, the readiest mode of transmitting my communications to Your Excellency, as it is uncertain, until I reach Washington, how long it may be necessary for me to remain there.

As I have only had one day here, it is at present out of my power to notice particularly any of the Articles contained in Your Excellency's Instructions. But as soon as I have a scope to move in, I will endeavour as far as in my Power, completely to meet Yr. Excellency's wishes.

If the *Bellona* has not sailed for England, I will thank Your Excellency to write a Note, either to Mr. Freeling,¹² or Their Lordships the Post Masters General signifying, that I had at Your desire, again for a short time left the duties of the Post Office.

I have the honor to be etc.

[Sign'd] JOHN HOWE

To

Sir Geo: Prevost Bart.
etc., etc., etc.

[Copy]

[Endorsed:] Copy of a Letter from
Mr. Howe to
Sir Geo: Prevost Bt.
dated Boston
16th. Novr. 1808

Reporting his arrival
at Boston, American Politics etc.

In Sir George Prevosts
of 30th. Novr.

¹¹ Text in *American State Papers, Commerce and Navigation*, I. 776-778.

¹² Francis Freeling, secretary to the General Post Office.

XII. HOWE TO PREVOST.

[A Copy]

WASHINGTON 27 Nov 1808.

Sir,

I arrived here on the evening of the 25th. Inst: and immediately waited on Mr. Erskine to whom I delivered my dispatches; he appeared gratified at my arrival, and has assured me of every kind of aid in his power, to enable me to put your Excellency in possession of the actual State of the present Politics of this Country, and the bearing they may ultimately have on Great Britain or her Colonies.

I arrived at Washington, at the very moment when the discussions in Congress have become interesting. Though they have been setting since the 7th. instant nothing material has turned up, more than your Excellency will find in the Papers I enclose. Among these Papers is a Report made by a Committee, to whom was referred that part of the Presidents Message, which concerned their Foreign Relations; to which Report is subjoined several Resolutions which Mr. Erskine, and the most intelligent Men here, are of opinion will be adopted.¹⁸ If these Resolutions are adopted, the Commercial Intercourse of this country with Great Britain and France, will be totally shut up. As the Resolutions which effects the Non Intercourse is expressed in very General terms, Mr. Erskine has found it his duty to enquire of the Government here, if by this Resolution, it is meant to exclude Packets or Vessels coming to him with dispatches, as, if this was the case, he would be compelled to make his bow, and prepare for his departure, he has received assurances that it is not intended to exclude either Packets or Dispatch Vessels, and that the intercourse between the Government, will thus be left open or shut.

Besides the public documents which accompanied the Presidents Message at the opening of Congress, were several of a private nature, and these were read as usual, with closed doors. It is now perfectly understood, that one of these documents, is a Letter from Mr. Armstrong their Minister in France, in which, totally despairing of any satisfaction to be obtained from the Emperor of France, he recommends that War be declared against France, and that the Commercial Intercourse be thereby opened with England.¹⁹ For two days the house of Representatives has had its doors closed and it is now known that Mr. Randolph has been laboring to have the injunction of Secrecy, as it respects this Letter of Mr. Armstrong, taken off, and that it should be made public. Having failed in some of his first attempts to accomplish this object, he has followed it up with Motion after Motion, and though a final negative was put on the attempt, he has succeeded in a Motion that the Journals which contained his several Motions should be published; and this will give so much publicity to the private proceedings as will indirectly effect his purpose.²⁰

The course recommended by Mr. Armstrong is undoubtedly the only wise course they can pursue, and all sensible dispassionate Men view it

¹⁸ "Campbell's Report" of November 22. *American State Papers, Foreign Relations*, III. 259-262.

¹⁹ A heightened statement of Armstrong's letter of August 30. *American State Papers, Foreign Relations*, III. 256.

²⁰ See the "Supplemental Journals" of the session.

in that light. The Report of the Committee of Foreign Relations, will be taken into Consideration tomorrow. I shall attend the house during this discussion, as the dicission on this Report, and the Resolutions adopted in consequence, will very probably mark the course of politics that will be pursued during this session.

Your Excellency will perceive by the Report of the Committee, that they view themselves as completely environed by difficulties, which are the natural effect of the crooked course of policy they have been pursuing. They have been meanly crouching to France, and they are at present suffering the constant effect of meanness, for it has drawn upon them not only the contempt of France, but of England also, as Mr. Cannings Letter very clearly indicates. The Government here has been very much hurt with Mr. Canning's Letter. Mr. Madison calls it a new kind of Diplomatic Language. It has, however, afforded much gratification to the opposition, and will, I think, on the whole do good, the Government feel more keenly the irony of Mr. Cannings in proportion as they are compelled to own, the impotency of their Embargo System, which was to starve England and her dependencies. To find this omnipotent measure, only treated as a subject of ridicule, is more than their High Mightinesses can bear.

If the Non-Intercourse Law should pass, I do not think it could be so injurious for the coming year, as the Embargo has been in the past, as His Majesty's Government is so well apprised of the Caprice of this Government, that its foresight must have fallen upon Modes of subsisting our Islands, distinct from any dependance on America. If the Non-Intercourse Bill pass I have no doubt, but the Militia now ordered, as well as their armed Vessels, and a number of additional Revenue Cutters; which the Government has applied to Congress for, will be employed to enforce the measure as strictly as possible; and the several regulations of the Bill will subject the violators of it to the severest punishment. But whatever is decided on these subjects, I will lose no time in communicating to your Excellency.

If the Non-Intercourse system should go into effect, and no alteration of Measures on the part of the two Great Belligerents be soon the consequence (and the most sanguine among them do not actually support [suppose] the Measure will produce any alteration) then the universal conclusion here, is, that War with one or both the Belligerents must of course, soon follow. Viewing this therefore, as the final consequence that will result, it becomes an inquiry of importance, against whom are they going so extensively to satisfy [fortify] their Coast and harbours, as the Resolution Contemplates; and against whom is the Military Force now to be arrayed; evidently to be employed. The answers to these Questions, are given by every Man with whom you converse here. They frankly say we cannot if disposed, injure France, nor can she attack us. Her territory is out of our reach, and she has no Commerce on the Ocean. But they say, we can take the British Provinces of Canada, Nova Scotia, and New Brunswick; and if War is contemplated, and Mr. Erskine is very sanguine in his opinion, that it will result upon the present measures, then all the Military preparations in this Country can only have references to the British Colonies—of course every measure of precaution on our part, will be wise, while the present uncertain state of

things continue in this Country. It is amusing to hear them talk here of the extreme facility with which they can possess themselves of the British Provinces. No Man of either Party seems to imagine there would be any difficulty in effecting the Object. I think however, should the trial be made, they will, at least, not find the conquest an easy one.

In discussing this subject with Mr. Erskine, and finding his Mind strongly impressed with the idea, that the present state of things will issue in hostility, I have asked his opinion, whether he imagines this hostility will be immediate or remote, in reply to these enquiries he is decidedly of opinion that War will not take place this Winter, and that preparatory and defensive preparations will alone, be determined on this Session of Congress. He thinks they are sensible that their Harbours are at present too defenceless and too open to our attack if they determined on immediate War.

The Militia in many States is very badly organized. In short he is convinced, that the state of their Military preparations is such, that it cannot excite any alarm in Nova Scotia, during the Winter, nor need it retard any Military object your Excellency might have in view that could be accomplished before the spring.

On enquiry of the success which had attended raising the 6000 regular troops, Mr. Erskine informed me, that he had a few days ago, a conversation with General Wilkinson on that subject—that he informed him nearly the whole number was raised, but that many of them were such miserable wretches, he should have infinite difficulty, in bringing them into any state of discipline or order. A detachment of these Troops, but I believe not a large one has already marched to the frontiers of Canada.

On the subject of the probability of hostility I have conversed not only with Mr. Erskine, but with many sensible Men here who have attended Congress daily since its sitting, and I do not find any of them so apprehensive of War, as he appears to be, nor can I, on the whole, quite subscribe to his opinion. It is however the safest side of the question to contemplate, and therefore I have stated more strongly to your Excellency, Mr. Erskines Opinion. His situation here furnishes him with the best means of information—and there is certainly no lack of Zeal about him to promote H. Majesty's Service.

Mr. Erskine yesterday introduced me to the President with whom we had half an hours conversation. He afterwards called with me on Mr. Madison. Both Gentlemen conducted with much politeness. Mr. Erskine intends inviting Mr. Madison to dinner in a few days, when as I am to be present, I hope to be able to form this Gentleman a more decisive opinion. From the first interview, I own I should give the preference to Mr. Madison, and as there is now no doubt of his being the President for four years to come, I wish if possible, without prejudice, justly to appreciate him. Mr. Erskine is of opinion that Mr. Madison does not at present wish War with Great Britain, and that when left to himself, things may yet ultimately take a better turn than he fears.

There is a British Brig at Baltimore, bound for Halifax, with [which] the British Counsel [Consul] there informs me will sail soon. By her Mr. Erskine intends writing Your Excellency, and I shall imbrace the same opportunity. I forward this to Boston, by an English Gentleman,

who proceeds in the Morning, and expect it will reach Boston in time to go by Kellys Schooner.

I have the honor to be
Your Excellencys, Most Obedient
Humble Servant
JOHN HOWE.

[Endorsed:] In Presidents Crokes³⁶
7 Jany 1809

[Copy]

XIII. HOWE TO PREVOST OR CROKE.

*Answers.*³⁷

To No. 1 and 2.

I have no hesitation in saying from sources on which I think I can rely, that since the Democratic Party came into power, by the accession of Mr. Jefferson to the Presidency which is eight years, that a large Majority from New York to Georgia, have been in favor of Democracy of the grossest kind, and have generally advocated the measures of their Government. Several causes contributed to this Democratic ascendancy in the States generally, and in the Southern States in particular: But the most efficient cause of the defeat of the Federal party, was occasioned by a direct system of Taxation, which had taken place, to no great extent, under General Washington's administration, and which had continued under Mr. Adams's. This system had been continued by both, with a view to the increase of the Naval force of the United States, and to the general improvement, even in time of Peace, of the Fortifications, and Military means of defence of the Country.

Whoever is acquainted with American Ideas, must know that nothing is more alarming than the idea of *Direct Taxation*. The Party now in power excited a general alarm throughout the States on this ground. They decried the expenditure of public Money, on Fortifications, Building of Ships, or any other Measures of Military Preparations, as a waste of public Money, and calculated to keep up and increase the direct taxes of the Country. And since this party obtained power, the greater part of the Fortifications have been suffered to go to ruin. they have sold off a great part of their navy, and the remaining ships have been laid up at Washington, where by the little care taken of them, they have been so much injured, as to have ruined some of them, and to have injured the others, so as to have rendered it extremely difficult and expensive to repair them. This wasteful economy has compelled the Government this year, to keep employed in the Dock Yard at Washington only, upwards of 500 Workmen, besides an expensive Naval Yard at New York, and one at Charlestown, near Boston. The immense influx of Foreigners has also contributed to the establishment of the Democratic power in the Southern States, and among this description of persons, has been a large proportion of Emigrants from His Majesty's

³⁶ Dr. Alexander Croke, judge of the vice-admiralty court, was administrator of Nova Scotia during the temporary absence of the lieutenant-governor, Sir George Prevost.

³⁷ These are Howe's answers to Prevost's queries, no. X. above. The queries are repeated in the manuscript, but omitted here. The answers were sent either to Prevost or to Croke as his *locum tenens*.

dominions in Ireland. There are in New York 7 or 8000 of these people. In Philadelphia the number is greater, and the number dispersed through the State of Pennsylvania is estimated at more than four times the number in the Capital. At Baltimore they are overrun with this description of Men. The enmity of these Foreigners to Great Britain is kept alive at Philadelphia, by Duane an Irishman, Printer of the *Aurora*, who possesses abilities, and is supposed to be in French pay. As far as respects Foreigners the resentment which the American War left on the Minds of Men, and which is not yet eradicated, is often a predisposing cause, which when any new circumstance of irritation arises, is immediately resorted to by the party opposed to Great Britain. The Assistance which France rendered in that War is also resorted to. An attachment to the New order of things in France, of which Mr. Jefferson largely partook, has also predominated throughout the States, and interested them in favor of France, until the receipt of the last dispatches from Mr. Armstrong. These have led to a different way of talking about France, even among the different Members of Mr. Jefferson's Cabinet. This change of opinion, as it respects France is beginning to appear openly in the Speeches of the Government Leaders in Congress. Since the Democratic Party obtained their power in this Country, they have by a variety of artifices retained that influence. Every Federalist has been turned out of Office, and Democrats appointed in their Stead. All taxes which could be dispensed with have been withdrawn; and as the Trade which Mr. Jay's Treaty secured to them has been uncommonly productive, though originally abused by the present party in power, their Revenue, which results from Trade, has furnished an overflowing Treasury, and has rendered it unnecessary to resort to direct taxation.

Among other Artifices the present party have resorted to for perpetuating their power is the following: In the State of New York, as soon as the Democrats had obtained a Majority, on the first meeting of their Legislature, they arranged a New division of their Counties, to give decisive effect to their future Elections. In doing this they took from some Counties where there was an overflow of Democracy, and added these Democrats to counties where Federation prevailed. By means like these they consolidated their power in that State, and have thereby made the most unnatural Division of the State that could possibly be conceived. By the immense number of Foreigners which have been collected in the new settlements they have been enabled the more easily to effect those objects. Another cause which gives a fatal preponderance to the Democratic party, is the perpetual recurrence to Elections. So universal is the Elective Suffrage, that Property and Talents are continually made to give way, to those who have neither the one nor the other. Indeed, Men of property and talents have been so annoyed by the servile means necessary to obtain power, and by the violence and licentiousness connected with it, that they are generally shrinking from the Scene. This last observation was rendered very striking to me while attending congress, which in point of Talents is far inferior to any Congress they have had since their independence. It has not been in my power to collect; with that accuracy I could wish, the names of the Leaders generally; but to the Causes above stated, more than to particular men themselves, are to be attributed the general Democratic ascendancy.

To No. 3.

In Georgia, South Carolina and Virginia, two thirds are Democrats. This opinion is warranted by the last Election. The same proportion was last year to be found in Maryland, but in that State the Embargo has operated a change in their house of Representatives this Year, which has given a Federal Majority of five. In the Lower Counties of Delaware, more than two thirds are Federal. In Pennsylvania this Year, their Elections have produced a Democratic Majority of more than two thirds. In New Jersey there is this year a considerable Majority in favor of Democracy, but not equal to the Majority of last Year. The New York Elections taking place in the Spring Months, the Federalists lost their Election of State Officers by a Majority of about 1,000. This however was a great gain, as the Majority of the last Year was upwards of 5000 in favor of Democracy. A great change, is, however taking place in the public opinion in that State. The number of Federal votes in the State of New York, for president, when Mr. Jefferson was elected, was only 18; in the present election it was 45. Though outvoted by the — Democratic electors, the gain under all circumstances was considered great. In Connecticut, more than two thirds have been always Federal. This Year their Majority has been greater than ever. In Rhode Island, where Democracy prevailed last year, all their Elections have been Federal by a large Majority. In Massachusetts Democracy, two years ago, obtained a small Majority; this Year the Federalists have gained in the Senate and the house, a Majority of one third. The next elections will be more decisively Federal. In New Hampshire, where for several Years Democracy has prevailed, there is this Year a considerable Federal Majority. In the State of Vermont, the same change has taken place; and Federalism is daily increasing in that State. In the choice of Electors for President by that State lately, there was a Democratic Majority of 4 or 5: But Mr. Lyon¹⁸ explained the reason of it in Congress, to be this: In some of the States the choice of Electors is by general Ticket or Suffrage. In Vermont it is by Districts. This enabled some Districts which have in them so little population, (that he resembled them to old Sarum) to give the same Votes, as the most populous Districts of that State, and in this way he said, this small Majority had been obtained, directly in opposition to the General Voice. The State of Tennessee is generally Democratic.

To No. 4.

The Federalists generally wish a reconciliation with Great Britain. A large proportion of them from a preference to Great Britain, and others from a conviction that their commercial Interests will be more effectually promoted by a connection with Great Britain, than with any other nation. The Talents and Wealth of America, are almost invariably to be found in this party. There may be exceptions to this last remark, in some measure, as it respects the States South of Pennsylvania. As the feelings of the Federalists are generally in favor of a reconciliation with Great Britain, so, on the contrary the feelings of the Democrats, with few exceptions, have been, until the late Dispatches from Mr. Armstrong, in favor of France. These Dispatches have already had considerable effect, and it now rests with His Majesty's Government if it pleases to give a more powerful effect to this new operative cause.

¹⁸ Matthew Lyon. at this time (1803-1811) member of the House of Representatives from Kentucky, but formerly (1797-1801) from Vermont.

To No. 5.

The Election of President has created a partial division in the Democratic party; some adhering to Monro, and some to Clinton; This division of Sentiment might by the Federalists, have been improved to advantage, by joining with either of the opposing Candidates; but that party had so little confidence in either of them, that they preferred voting for the Candidates, they respected, though they knew their votes would be thrown away.

To No. 6.

The Federal Party on the divisions of the House of Representatives, while I attended Congress, were about 26 to 87. The last Elections will increase the Federal Party in congress to 60 or upwards. The States where the change of Politics has occasioned this difference are already noticed in the answer to No. 3. The causes are chiefly to be attributed in those States to the extreme pressure and impolicy of the Embargo System; to the fear that direct taxes must soon be resorted to, if that System continues, and in many instances, to the shameful conduct of Bonaparte in his treatment of Spain and Portugal; and to an approbation of the conduct of Great Britain in the honorable assistance she has afforded to those Nations. In the Eastern States the universal feeling is warm for the Success of the Spaniards.

To No. 7.

The first branch of this Question is answered by the above observations. As far as respects a third Party in Congress, Mr. Randolph appears to have a sort of influence over about 8 or 9 of the Members. This Gentleman possesses a strong independent mind, is a correct and interesting Speaker, and always listened to with much attention. But he has too full a consciousness of his own powers, and so thorough a contempt for the greater part of the House, that he mixes very little with them, and turns his talents to so little political purpose, as to render them nearly useless. This may in part arise from his extreme feeble habit of body, which often seems too weak to sustain him long.

To No. 8.

The President for the ensuing four Years will undoubtedly be Mr. Madison. From the Diplomatic correspondence in which this Gentleman has been engaged for years, no change of politics was to be expected. But from the late conferences of Mr. Erskine with Mr. Madison, and other persons, who from some late reconciliations between them will undoubtedly form his Cabinet, hopes may reasonably be entertained that they have become convinced that a change of system may make his Presidency much more comfortable to himself, and more popular than the present course they are pursuing; and which they candidly say, cannot be much longer continued. The late Letters received from France have exceedingly mortified them, and strengthened their desire for a reconciliation with Great Britain. Among other Measures brought forward by the Government Party in Congress, which strengthened my hopes as to a change of conduct was a Resolution offered to the House to exclude all Foreign Seamen from Naturalization in the United States.¹⁹ This resolution was received by the House, and will form a clause in a New Naturalization Bill now before Congress.

¹⁹ *House Journal*, December 17, 1808.

To No. 9.

As far as respects Mr. Jefferson, the President, though he has had a full share of mortification, which the late letters from General Armstrong, are calculated to produce, yet was he to remain in power, I do not believe, that either Mr. Erskine, or any person with whom I conversed, (and I had conversation with some of the most excellent Characters in the District of Columbia, who are thoroughly acquainted with the parties) would have any confidence in a change for the better.

To No. 10.

This Question is fully answered in the Report of the Committee of Foreign Relations, and in the Documents laid before congress.

To No. 11.

The Cause of France is now abandoned by the Speakers on both sides the House. They are learning a New Lesson; and though some of them recite it badly, they now disavow all friendly feeling towards her.

To No. 12.

When Speaking of the means of annoying Great Britain, no other ideas are ever suggested by the Advocates of the Government, but the Non Intercourse System, or War. The friends of Great Britain in America, are anxiously wishing that the Orders in Council may be repealed, and a commercial intercourse opened. They are alarmed at the prominent features of the measures their Government is pursuing, and are afraid they will irritate our Nation, and shut the Door to reconciliation.

To No. 13.

This Question is answered by reference to the late conferences of Mr. Erskine.

To No. 14.

The events in Spain and Portugal have had much effect on American Politics. Had Bonaparte succeeded in obtaining quiet possession of Spain, and the Spanish colonies had submitted to his sway, this Government would long since have pushed America into a War with Great Britain, though every sensible man in the Country, viewed their own destruction as connected with the dominion of France over the Spanish Colonies, by bringing so mischievous a power into their neighbourhood. The late events in Spain have saved this Government for the present, from the mischievous effects of their own politics. It is highly to the honor of the federal party in this Country, that they have continually rejoiced in the Spirit which the Spanish Nation has shewn, and that they received with manifest exultation every account of their success. These people wish a commercial intercourse with Spain and Portugal; and they are afraid, if a reconciliation does not take place between Great Britain and America, that the influence of our Government with Spain and Portugal, will occasion their exclusion from the trade of those Colonies. The renewed Commercial connection of Great Britain with these Countries, has had the best effect in America, in convincing them of the folly of their Embargo, and the perfect imbecility of all their attempts to injure Great Britain. It has also excited a strong fear for the safety of Louisiana, least we should stimulate the Span-

iards to retake a territory they have been so shamefully swindled out of. I was present, when in their Speeches in Congress, they expressed their strong fears that Sir George Prevost's Expedition was destined for that Quarter.²⁰

To No. 15.

Mr. Foranda has arrived at Washington, accredited by the Spanish Junta, as Charge D'Affaires to Ferdinand the 7th. He has presented his credentials to the American Government, but when I left Washington, he had obtained no answer from Mr. Jefferson whether he would be received, or refused. Some of the Consuls under the old Government still remain in the States, not knowing what course to pursue. But by an arrival from Bordeaux, of the 2nd November it appears that an Ambassador, appointed by Joseph Buonaparte was at Bonaparte's Levee, before he proceeded for Spain, and was soon to proceed to America. Should he arrive it will place the American Government in an embarrassed situation.²¹

To No. 16.

Great apprehensions are excited for the Safety of Louisiana. A part of the new Levee of 6,000 Men has been sent to that Quarter; and an additional number, sufficient to make the whole regular force lately sent, amount to 2,000 men, were in a few days to March to Baltimore, where Transports were taken up to convey them by water to New Orleans. It was supposed that General Wilkinson, who was at Washington was to go with them.

To No. 17.

The best regular data to judge of the proportion of suffering of the respective States, are to be found in the calculations contained in the Speeches of Mr. Quincy, Mr. Pickering, Mr. Hillhouse, Mr. White and Mr. Lloyd, all of whom have taken great pains to ascertain this Subject.²² The pressure of this ill judged measure has been felt severely in every part of the Union; however the Eastern States which have been so largely concerned in Shipping, and had by their enterprize obtained the largest proportion of the carrying trade, are the severest sufferers: And if our Government should not be disposed to let them out of their own Trap, and the Government of America should continue the present system, not a doubt can be entertained, but that a separation of the Eastern States will ensue. If the answer of our Government should not meet the wishes of the ruling Party, they will then endeavour to preserve the Union by plunging the Country into a War with Great Britain, in hopes that a sense of common danger, will excite a unanimity, they will have no other means of effecting.

²⁰ Prevost had gone with forces from Halifax to take part in the capture of Martinique.

²¹ Valentin de Foronda, chargé d'affaires, had presented his credentials July 7, 1807. He took his leave by letter in October, 1809. No representative of King Joseph was received. Don Luis de Onis, accredited by the Junta, arrived in October, 1809, but could not secure recognition till 1815.

²² Speech of Josiah Quincy in the House of Representatives, November 28, 1808; and of Senators Pickering, Hillhouse, White, and Lloyd, on November 30, 21, 22, and 25, respectively, in the debates on Hillhouse's resolutions for repealing the embargo.

To No. 18.

If the Embargo and non importation Acts were to continue as they have done the past year, Great Britain might countervail the mischiefs of the Non-Importation System, by prohibiting the importation of all Articles that Acts permits. These Articles are all of the first necessity and many of the Manufactures they have established in the Country, could not be carried on without those very Articles, by means of which they are enabled to support them. But if the Non Intercourse System takes place, and even War should not ensue, then no restrictive Acts would be necessary on our part.

To No. 19.

The Embargo will not continue longer than the Spring, or until the Non Intercourse Supercedes it. If the Non-Intercourse should take place, as it respects both Great Britain and France, it is still uncertain whether by repealing the Embargo Laws, they will open their Trade to Spain, Portugal and other Powers they suppose friendly to them, as they, in all their Speeches in Congress say, that the Belligerents would in this way indirectly obtain all the Supplies, the Non Intercourse Law was intended to withhold from them. That the motive which induced the American Government to impose the Embargo, was a hostile one to Great Britain, and a Servile compliance with the wishes of Bonaparte, no sensible man in America entertains a doubt.

To No. 20.

The whole policy of Bonaparte has been to involve America in a War with Great Britain. And had not the late changes in Spain have taken place, he would before this time have effected his object.

To No. 21.

I am at present satisfied, that Mr. Madison, and those who are to compose his Cabinet, do not at present think it will be for their Interest to be at War with Great Britain. They consider themselves as sure of their offices for four Years; and I am convinced from many circumstances, that they would at present prefer a War with France, to War with England. They are satisfied they must have a contest with one or the other, and they seem to have become sensible that a friendly intercourse with Great Britain, will do them the most good, and that a War with our Nation will do them the most injury!

To No. 22.

Mad as Parties are in America, I do not think, that a Majority of the Population wish a War with Great Britain. The warmest among them, will frankly own, they do not see any benefit they could obtain by it.

To No. 23.

If our Government remove the Orders in Council, reconciliation will ensue. If they do not we shall probably go to War.

To No. 24.

It will be seen by reference to the Report of the Committee of Foreign Relations, and the Documents, that nothing which America views as conciliatory, has turned up since the last Session of Congress.

To No. 25.

The Documents above referred to furnish the best views of American feeling on this Subject.

To No. 26.

If the present American System continues, and War does not ensue, it would be wise in our Government, totally to prohibit all Neutral Trade with our Colonies, if we find we can do entirely without their supplies. Their most intelligent Merchants, are trembling with apprehension lest the impolitic Measures of their Government, should drive our Government to it. Justice to Quebec, Newfoundland, Nova Scotia and New Brunswick require that Our Government should, as far as possible adopt this System, and the rapid manner in which these valuable Colonies are progressing, with the other immense resources of Great Britain, must soon place all her dependencies out of the reach of the Caprice of America, or any other Country.

To No. 27.

The Common regular force of America Amounts to about 4,000 Men. This force has been chiefly employed since the Peace in the Garrisons on the Frontiers, or in Forts situated at the entrance of the principal Harbours. Congress last Year passed an act to add 6,000 Men to the Regular forces of the Country; 3,500 of these Men have been raised. Recruiting Parties are employed throughout the States, endeavouring to raise the remainder. But they meet with no great success; and it is not probable that they will, in another Year raise the whole number. The 3,000 lately raised, are the greater part quite undisciplined, and it will take much time to bring them into Military Order.

To No. 28.

It was suggested before I left Washington, that it had been in the contemplation of the Government, to apply to Congress for an Addition of 20,000 Men to the regular force of the Country. I do not however believe that this measure will be immediately proposed, unless it should be to empower the Government provisionally to raise them, as a political manoeuvre. They cannot easily raise in America any great body of regular Troops.

To No. 29.

Answered by the subjoined Table No. 1. which is generally supposed very accurate.²³

²³ The materials for this table seem to have been those from which is composed the table printed in *American State Papers, Military Affairs*, I. 200-203, but there are not a few errors.

No. 1. OFFICIAL STATEMENT OF THE MILITIA OF THE UNITED STATES BY THE LATEST RETURNS.

States.	Dates.	Divisions.	Brigades.	Regiments.	Total Artillerists.	Total Cavalry.	Total Infantry.	Total Artillerists, Cavalry and Infantry.	Muskets and Rifles.	Brass-ordn. from 12 to 2 lbs.	Sabres.	Pairs of Pistols.
New Hampshire,	1805	3	6	34	46	1,629	21,168	23,259	12,520	18	1,808	1,763
Massachusetts,	1805	10	22	83	2,629	2,690	61,502	66,821	46,615	129	2,337	2,337
Rhode-Island,	1803	1	4	11	121	87	5,127	5,333	3,052	4	87	87
Connecticut,	1805	4	8	33	677	1,637	18,621	20,935	15,085	21	1,995	1,414
Vermont,	1805	4	10	31	408	1,203	16,510	18,181	3,824	3	1,020	1,048
New-York,	1804	7	31	108	1,405	2,113	73,318	76,836	41,947	29	1,431	1,344
New-Jersey,	1805	4	6	38	72	1,197	25,327	26,696	12,509	—	750	381
Pennsylvania,	1803	14	28	130	499	2,840	93,192	96,448	29,114	7	1,411	1,583
Virginia,	1805	3	16	84	1,365	3,549	68,884	73,798	13,224	2	407	333
North-Carolina,	1805	5	12	50	—	291	42,605	42,956	18,914	—	71	114
South-Carolina,	1802	2	9	40	911	2,970	32,742	35,723	12,878	17	1,383	1,057
Georgia,	1805	3	7	—	101	721	18,572	19,397	3,737	6	371	259
Kentucky,	1805	5	12	54	—	—	33,176	33,176	19,533	—	—	—
Tennessee,	1805	2	6	20	—	771	16,092	16,863	4,047	—	75	95
Ohio,	1805	3	5	14	—	113	15,863	15,976	3,515	—	30	30
Maryland,	—	—	—	—	—	—	—	30,190	7,000	—	—	—
Total, ...	—	70	182	754	3,660	21,876	542,857	602,585	258,114	236	13,226	11,845

This incomplete return contains about one half of the Militia, and near one fourth of the fire arms in the United States.²⁴

²⁴ It is not known what basis there can have been for this statement.

To No. 30.

The President has ordered 100,000 of the Militia to be selected, armed and equipped for actual Service, to be ready at a moment's warning. This draft has been generally complied with. But the general State of Equipment is very incomplete indeed.

To No. 31.

Answered by the above.

To No. 32.

One of the New raised Regiments commanded by Colonel Symonds, has marched to the Frontiers of Canada. But except drafting there has been no movement of any part of the Militia. The Persons who compose the Militia are of all Parties, and taken indiscriminately from all Parts of the Country.

To No. 33.

Answered by Table No. 2 subjoined.²⁶

To No. 34.

The following is a complete List of the Navy of the United States.

<i>Frigates</i>	<i>Guns.</i>		<i>Brigs</i>	<i>Guns</i>	
President	44.	} lately repaired and fit for service.	Syren	16	} In Service
United States . . .	44.		Hornet	16	
			Argus	16	
Constitution ..	44.	fit for sea.			
Chesapeake ...	44.	At sea on the Coast.	<i>Schooners</i>		
Constellation ..	36.	} All lately repaired and now fit for Service.	Nautilus	12	Guns
Congress	36.		Enterprise ..	12	"
New York	36.		Vixen	12	"
Essex	32.				
Adams	32.		<i>Bombs</i>		
John Adams . . .	32.		Two.		
			<i>Gun Boats</i>		
			100 and upwards.		
Boston	32.	Unserviceable.			
Wasp Sloop a Ship of 20 Guns in Service.					

This Naval force might be suddenly increased by the purchase of Merchant Vessels, many of which might be rendered very useful.

To No. 35.

The Principal Naval Arsenals of the United States are at Washington, New York and at Charlestown near Boston. There are smaller Establishments at Charlestown South Carolina, at New Port Rhode Island, and at Portsmouth New Hampshire. There is also a Naval Establishment at Gosport near Norfolk. There are considerable Depôts of Military Stores in all the States, some of these are in the Capital Seaports of the States, but in General they are at a distance from the

²⁶ Perhaps this was the table which appears in *American State Papers, Military Affairs*, I. 192-196.

Sea. There is a large Establishment about 10 Miles on the road from Philadelphia to Baltimore. I passed another where there is also an extensive Manufactory of Arms in Springfield Massachusetts. There are considerable quantities of Arms manufactured in the State of Pennsylvania. There is Cannon Foundry at Harper's Ferry on the Potomac, One, two Miles above George Town, and a very extensive one carried on by a Colonel Hughes near the Ferry on the Susquehannah. These Foundaries have for more than a year been all employed in executing large contracts for Cannon of all descriptions for the Government. They are still briskly employed in the same manner. The Government are in short, employing all the Manufacturers of Arms in the Country, to increase as much as possible its warlike implements. Men have been voted to man their little Navy, and Salt Provisions for victualling the Ships have been contracted for at New York, and other Places.

To No. 36.

In conversing, which I had a full opportunity of doing, with men of all parties among them, on the Measures America would pursue, if a contest took place between our Countries, I found the universal opinion to be, that an attack on Canada, New Brunswick and Nova Scotia would immediately ensue; and they consider all the Military preparations they are making as designed for these ends. For they say, France is out of their reach, and they cannot attack her. Against these Colonies therefore alone, all their Military array is expressly pointed. The Conquest of Canada, they contemplate as a matter perfectly easy; and whenever they speak of it they build much on the disposition of the Canadians as friendly to them. They reckon also, on a ready welcome from a number of Americans who have of late years become Settlers in Upper Canada. And this last circumstance at least, may well lead His Majestys Government to consider, whether it is politic to admit as settlers near the Frontiers, men of this description.

They are more at a loss, as Nova Scotia is so much surrounded by Water, to consider the best Mode of attacking it, but do not seem to doubt their ability to effect it. Men of all parties think if a War should ensue, that the Conquest of these Colonies is certain:— Precautionary Measures of every kind are therefore highly necessary.

[Endorsed:] In Sr. G. Prevosts

19 May 1809

REVIEWS OF BOOKS

GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

Influences of Geographic Environment, on the Basis of Ratzel's System of Anthro-Geography. By ELLEN CHURCHILL SEMPLE. (New York: Henry Holt and Company; London: Constable and Company. 1911. Pp. xvii, 683.)

THE place of geographic influences in the history of a people or of a state has received a clearer statement and more exact definition by this latest work of Miss Semple's. Although originally planned as a presentation of Ratzel's studies and conclusions in condensed form, it has been developed into an excellent piece of research, carried out with scholarly precision and comprehensive grasp of details. Especially to be commended is the constant emphasis laid on the complexity of the subject under consideration. Man is no longer merely the conqueror of natural environment, nor is he considered the passive creature of physiographic influences. The political, social, and industrial evolution of a community is shown to be a resultant of forces acting upon man in every conceivable proportion and degree. The writer, while desiring to avoid the use of such terms as "geographic determinant or control", makes it clear that some few of these forces should be recognized as physiographic or anthro-geographic. Man from this point of view, either as an individual or as a member of a larger group, is an active agent, and receives successive increments of power from the various physical environments in which he is placed. Thus we have presented the influences of land and sea acting through long periods of time upon the fixed or shifting units of population on the globe. The range of sources consulted and the painstaking accumulation of evidence on every detail of the subject, give the work a distinctively encyclopedic character.

From the evidence offered one can hardly avoid the conclusion of the writer that history has in the past been too far separated from geography and that both subjects have suffered from the separation. As a factor of great pedagogical value in presenting the subject of history, geography has long been recognized in Europe as holding first rank. If the present work has no other result in this country, it will stand as a thoroughly scientific demonstration of the vital relation existing between these two great subjects of study. Geographic interpretation of history is comparable in many of its aspects to that which is advanced by the sociologist, the economist, or the lawyer. The essential difference lies in the relative age at which these influences are most potent. The influence of geography belongs rather to the earlier stages of man's development, being most nearly analogous to similar influences that

affect all forms of life. With fuller development of the social and industrial life, physiography no longer acts as directly or openly; its influence becomes more subtle and hidden. The recognition of this rather obvious fact in history marks a decided advance in the attitude assumed in the present volume over that in earlier works on the same subject; there is left for investigation a wide field of history in which physiographic influences may or may not be shown to be important. But the temptation to claim for physiography what clearly belongs to any one of a half-dozen forces in society, is a difficulty hard to be overcome. In the present work several instances of this might be noted. On pages 229 and 231, we are told that the remoteness of Texas from the Mexican capital led to the independence of the former, whereas it is now quite generally agreed that the keen desire for extension of slavery on the part of the Southern leaders and the realization that upon this extension depended their future status in the Union as well as their wealth and standing, forced the accession of new territory both on the Spanish and on the Mexican frontier. It does not always follow that "territorial expansion of peoples and states is attended by an evolution of their spacial conceptions and ideals" (p. 195). Charles V. at the height of Spanish power exhibited a medieval bigotry and narrowness hardly in keeping with the imperial size of his dominions. Louis XIV. in 1685 revoked the Edict of Nantes shortly after La Salle had added the Mississippi Valley to the territories of New France and when the accession of James II. to the English throne gave every promise of keeping this great state in practical subordination to his own land. The failure of Spain to hold her dominant position in Europe, which she had won by means of the gold from America, cannot be ascribed to geographical causes at home, but rather to religious, industrial, and political causes inherent in her half-developed civilization. The steady growth of the English colonies in America arose not from any ethnic coincidence with political area but from the migration of thousands of Europeans, chiefly English, Germans, and French, to these free commonwealths—a movement which can hardly be claimed as a result of geographic influences. If Spain or France had allowed their persecuted and proscribed subjects to find homes under the national flag in America, New France and New Spain could have held their own indefinitely against the English colonies. The discussion of the historical advance from small to large areas in chapter vi. would be better balanced if it contained some adequate mention of the process of decline and death of states as a result of geographic influence. Still more conclusive would be a presentation of similar causes producing the arrested development of state or community in historic times. The part played by physiography in bringing about the accomplished fact appears to be a little too much taken for granted in the discussion of this vital point in history. The economist has quite another theory to account for the same phenomena, so has the sociologist. Whether Washington and Jefferson derived their larger ideas of national

expansion from the French in America is an open question, to say the least. Why the Jews still cling tenaciously to their religion and national ideals while half a dozen of their neighbors in similar localities have been blotted out, may or may not be explained on grounds of geographic influences. In the treatment of so large a field it is impossible to avoid many seeming misconceptions and errors of fact. But a mere enumeration of these does not invalidate the genuine claim which the subject of anthropo-geography has upon the progressive student. A new vantage-ground for the study of man is here offered to us and, whether generally recognized or not, it is an aspect of history more and more to be reckoned with in the field of genuine scholarship.

O. G. LIBBY.

World Organization as Affected by the Nature of the Modern State. By DAVID JAYNE HILL. (New York: Columbia University Press. 1911. Pp. x, 214.)

IN this work, consisting of eight lectures delivered on the Carpentier Foundation at the Columbia University, the author has sought to show the rationality and feasibility of a general and continuing peace and régime of justice between the nations of the world. This conclusion is predicated upon the growth of a jural consciousness among civilized peoples, and the concrete embodiment of this consciousness in the modern state. Because the modern state is now viewed as a juristic person, possessing rights and owing obligations, and is regarded as having for its essential function the maintenance of justice, Dr. Hill argues that it can enter into a juristic scheme of world-organization without derogation of its autonomy or destruction of its independence. This comprehensive international organization would be juristic in character in the sense that the individual sovereignties party to it would each recognize the definite rights of the others, and provide for the settlement of all disputes that may arise between them by peaceable means and according to juristic principles similar to those which they themselves apply and enforce in the determination of controversies between their own subjects. Dr. Hill places himself squarely among those who hold that there are no international questions which may not thus be equitably and satisfactorily settled. "There are in the world", he says, "no demonstrable rights or interests, as between well-organized States, which may not be adjusted without bloodshed." In the several chapters of his book the author deals successively with the state as the embodiment of law, as a juristic person, as the promoter of general welfare, a member of an international society, a subject of positive law, a mediator of guarantees, and as a justiciable person. He shows the inadequacy of alliances, of the principle of the balance or equilibrium of power, of neutralization, and of federations as means of securing a world-organization. The one efficient means is declared to be the preservation of the independence

and sovereignty of the individual states together with the recognition by them that their relations *inter se* are juristic in character, and that the rights and duties growing out of these relations are juristic and to be accepted and enforced as such. Incidentally there is an interesting discussion of the old question whether state policies are, or should be, governed by moral considerations, the affirmative of this proposition being strongly urged.

As a contribution to pacifistic literature the work is of undoubted value. As a study in political theory not so much can be said. In order to bring international and municipal relations within the same category and subject them to the same tests, essential distinctions are slurred over. Natural, moral, and jurial laws are distinguished in definition but confused in practice; no clear definition of sovereignty as a legal concept is developed, indeed, it is expressly denied that the sovereign state has the ultimate law-making power; it is asserted that statute laws are not commands issued by a sovereign authority, but rather agreements as to what shall be received as laws, made by persons set apart for the purpose of legislation; "Nature" is spoken of as a veritable creative and volitional agency; the state is endowed with the attributes of moral personality and declared to have relations to the "law of nature" similar to those resting upon "the natural man"; Locke's social compact seems to be accepted and held applicable between the states; the state is held to be self-conscious and "capable of determining its actions by the power of choice inherent in its collective will". These examples sufficiently represent the general character of the author's reasoning within the field of abstract political theory, and with respect to this side of the work the reviewer has found himself in almost constant dissent. At times these defects in theory vitiate the arguments, but in general the thesis is well sustained, that the modern conception of the state, and of its functions makes feasible definite schemes for the avoidance of war.

W. W. WILLOUGHBY.

Three Thousand Years of Mental Healing. By GEORGE BARTON CUTTEN, Ph.D., President of Acadia University. (New York: Charles Scribner's Sons. 1911. Pp. xi, 318.)

THIS is a popular book with excellent initial and concluding chapters, but, except for these, more of a compilation of curiosities of literature than a history of the subject. As a writer on several notable psychiatric cases coming under his personal observation, Dr. Cutten offers a shrewd and sensible introduction to his work. Thus he points out that the religious healer is not able to succeed better than the non-religious; that the distinction between functional and organic diseases, though hard to draw, still holds good; that the failure of certain healers is not because they have lost their powers, but because they have lost their reputation; and, finally, that mental healing creates nothing new, but simply makes use of the normal mechanism of mind and body.

The author's treatment of the nature of psycho-therapeutics is excellent, but that of its origin and development leaves much to be desired. The limitation to three thousand years is unfortunate because it precludes a glance into the dark backward and abysm of primitive belief. Although given in a "comparatively chronological order" the chapters on relics and shrines, on talismans, amulets, and charms lose much of their significance without an ethnological background. In neglecting to utilize a single German authority, the writer fails to utilize the help offered by such a work as Stoll's *Suggestion und Hypnotismus in der Völkerpsychologie*. But the reading of Frazer or Brinton might have shown him certain significant European and Amerind aspects behind the popular superstitions so copiously cited. Indeed, the chief fault of this book appears in this, that it has too many cases and too little classification. In one way this represents the truth—the actual confusion existing in the public mind. As Moll says: "The question here is only one of solitary facts in which no system is discoverable; a system presents itself to us only after the end of the Middle Ages." But in spite of this popular confusion the subject might be cleared up. There are certain broad lines of genetic development pointed out by Frazer which, because of their antiquity, go far to explain the persistence of popular psycho-therapeutic beliefs. Thus, the origin of the royal touch is traced back no further than Clovis I., when reference could easily have been made to its use in an early Egyptian dynasty. But the very limitation of the book's title necessitates the omission of remote cases and cuts out the whole animistic background of this and similar beliefs.

The author's personal opinions, when he gives them, are valuable, but that is not often enough. In the chapter on Mesmer and After a clear distinction is made between animal magnetism and suggestion, between "mystical" phenomena and the state as such. The matter is here well summed up in the statement that "hypnotism to-day is recognized as the product of a long line of erroneous theory and zigzag development". The succeeding chapter on the Healers of the Nineteenth Century is the most interesting of all. It brings together hitherto uncolated material and throws new light on the murky past of mental healing in America. Among less known and less scientific investigators are cited the revivalist Charles G. Finney; the "Mountain Evangelist", George O. Barnes, and Dr. Charles Cullis of Old Orchard Beach. In this list John Bovee Dods, one of the instigators of Christian Science, is omitted, while no authorities are given as to the existence of faith healing among the Pennsylvania Germans and as to New Orleans being an early centre of animal magnetism. Moreover corrections should be made as to the date of Charles Poyen (not Poyan), and as to the place of Benjamin Douglas Perkins.

These are matters of fact; concerning matters of opinion, we cannot agree to the author's positing a fourth period in the history of nineteenth-century mental healing as beginning in 1887 with F. W. H. Myers's

hypothesis of a subliminal self. The president of the Society of Psychical Research, in his postulating of the sub-consciousness as not only a separate entity but as metempirical, did less to aid scientific research than to abet occultism. In truth he did much to foster the so-called New Thought movement which the author considers to be outside the scope of his subject. In conclusion, however, Dr. Cutten's volume, in spite of these remediable defects, has a two-fold value in being an antidote to popular superstition as to drugless healing and a check to shallow mysticism.

I. WOODBRIDGE RILEY.

Aspects of Religious Belief and Practice in Babylonia and Assyria.

By MORRIS JASTROW, jr., Ph.D., Professor of Semitic Languages in the University of Pennsylvania. [American Lectures on the History of Religions, Ninth Series, 1910.] (New York and London: G. P. Putnam's Sons. 1911. Pp. xxv, 471.)

THE world is full of books designed to popularize the results of scientific investigation and very important is the function for which they are designed. It is a pity that they are so seldom written by the men who made the investigations, and it is, therefore, the greater pleasure to welcome a book distinguished alike by the most readable popularity and by that unmistakable note of authority struck only by the man who is himself a discoverer of new truth in the field of which he writes. There can be no doubt that Professor Jastrow is the foremost American exponent of Assyriology in the special department of religion, and there is likewise no doubt that this is the best book upon its field in the English language.

The title, *Aspects of Religious Belief and Practice in Babylonia and Assyria*, perfectly indicates the scope of the book. It was delivered in the course of American Lectures on the History of Religions at the Lowell Institute, University of Chicago, Meadville Theological School, Union Theological Seminary, Brooklyn Institute, Drexel Institute, and the Johns Hopkins University. The subjects of the lectures are: I. Culture and Religion; II. The Pantheon; III. Divination; IV. Astrology; V. The Temples and the Cults; VI. Ethics and Life after Death. The first lecture is of great importance for students of history, for it summarizes very admirably the results of the latest investigations concerning the earliest history of both Babylonia and Assyria. Students of general history not specialists in the field of ancient Oriental history will do well to use it to supplement and to correct the works of Rogers, Goodspeed, and Winckler. With this first chapter must also be taken the most useful tables of chronology at the end of the book, which "are based", as Professor Jastrow says, "on recent historical researches associated chiefly with the names of Eduard Meyer, L. W. King, François Thureau-Dangin, Arthur Ungnad, and Arno Poebel". The

most striking point in these tables is the confident reduction of Sargon and Naram-Sin from the period 3750 B.C., to which they are assigned by the historiographers of Nabonidus, to *circa* 2500 B.C. Perhaps it may be well for general students to exercise caution in accepting this radical rewriting of the history even though it be supported by most of the specialists who now are working over this material. In the historical survey it is a pleasure to note that Professor Jastrow has now definitively abandoned Halévy's anti-Sumerian theories and has joined his colleagues all over the world in acknowledging and seeking to define the existence and influence of the Sumerian people and their civilization.

The greatest contributions to knowledge made in this book are in the lectures on the Pantheon and upon Divination. Professor Jastrow has, almost unassisted, laid the whole foundation of our knowledge of liver divination, and erected most of the superstructure. Like every other discoverer, he has probably somewhat exaggerated its importance relatively to other phases of the religion. He has perhaps felt this somewhat himself and has sought to restore the balance by the notable lecture on Ethics and Life after Death, in the first part of which this noble old faith is shown, though sorely oppressed by magic, to have risen to distinguished heights. If I may be allowed at the very end of this notice to express very delicately one personal desideratum, I should say that the whole picture of the Babylonian religion, which the popular reader secures from this book, would be much enhanced in color, truth, and proportion if there had been one lecture on Hymns and Prayers. But this I have no right to demand, for the book does exactly what the title promises, and does it better than ever before.

ROBERT W. ROGERS.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Ireland under the Normans, 1169-1216. In two volumes. By GODDARD HENRY ORPEN, Member of the Royal Irish Academy. (Oxford: Clarendon Press. 1911. Pp. 400; 363.)

THE importance of the Norman invasion as "the most far-reaching event that occurred in Ireland since the introduction of Christianity" justifies the detailed study to which it has been subjected in these volumes. The author, known especially for his excellent edition of the *Song of Dermot and the Earl* and numerous papers on Norman castles, is an acknowledged authority on this period of Irish history, and the book justifies his reputation. It rests upon a wide use of the available sources of information, documentary and archaeological as well as literary, and there is an evident effort to lay aside modern prepossessions and approach the subject impartially. Thus with regard to the plundering of churches and monasteries for which the Anglo-Norman leaders are often reproached, Mr. Orpen shows that this is something of which the Irish chieftains were also guilty, and in a land where churches were

the ordinary storehouses of the people, their spoliation was a military measure rather than an act of impiety. A large part of the narrative, dealing as it must with the details of the occupation of the country and its division into feudal holdings, is mainly of local and genealogical importance, but much also possesses wider interest. There is a convenient sketch of social and political conditions on the eve of the Norman invasion, and an interesting summary of the results of the first fifty years of Norman rule. The author concludes that there was no general expropriation of the peasantry and that many of the former chiefs were allowed to retain portions of their lands, so that, within the regions controlled by the Normans, districts remained where the old tribal organization and law were preserved and where "the king's writ did not run". At the same time the conquerors plainly looked upon the natives with contempt and lacked the political foresight which would have sought to establish equal rights and bring the whole country under a single law. From the reign of Henry II. on, Ireland was neither one thing nor the other; the natives were unable to drive the invaders out, and the royal power was too remote and intermittent in its action to complete the conquest and establish the reign of law which prevailed in England. Contrary to a common opinion, Mr. Orpen maintains that John's government was no better in Ireland than elsewhere. He was the same man on both sides of the Irish Sea, "capricious, vindictive, tyrannical, only that in his tyranny he was even less under control", although when he came to need the support of the Irish barons "he did something to undo the evil he had done". On the other hand the author believes that the English rule during the century after 1216 was more complete and more beneficent than has been generally recognized, and we shall await with interest his treatment of this period.

One or two observations upon Mr. Orpen's use of his sources may be permitted. Giraldus Cambrensis and the author of the *Song of Dermot and the Earl* he still considers as entirely independent authorities, in spite of the strong arguments adduced by Liebermann to show that certain portions of their accounts go back to a common source. It is true that we do not know what the "customs of Breteuil exactly were" (II. 316), but that is no excuse for ignoring Miss Bateson's attempt to reconstruct them. Although agreeing with Round and Thatcher respecting the attitude of Adrian IV. and Alexander III. toward Henry II.'s expedition to Ireland, Mr. Orpen differs from them in accepting the genuineness of the much-discussed bull *Laudabiliter*. He makes a new point by assigning to the spring of 1173 a letter of credence given by Henry to William Fitz Audelin which has not hitherto been connected with the mission to Ireland mentioned in the Pipe Roll of this year.

CHARLES H. HASKINS.

La Vie Paroissiale en France au XIII^e Siècle d'après les Actes Épiscopaux. Par OLGA DOBIACHE-ROJDESTVENSKY. (Paris: Alphonse Picard et Fils. 1911. Pp. 191.)

THE book in hand is good as far as it goes. It has several virtues not often found within the same covers: it sticks absolutely to its theme; is clear, concise, and interesting; and, on the whole, sound. It is not exhaustive of its subject, however, nor does it pretend to be, for its title shows that it uses only one class of sources, episcopal acts. Every student of the period knows that papal and royal correspondence, chronicles and especially feudal lays, contain pertinent information. Whether or not this method of exploiting only one category of sources is properly called historical scholarship, is a question of secondary importance in this instance as the author announces that the part at hand is only a fragment of a larger work, already in preparation, on morals and ecclesiastical discipline in the thirteenth century.

La Vie Paroissiale is an addition to the history of medieval civilization. It was undertaken at the suggestion of M. Langlois, whose later works have been devoted to this deserving field of knowledge. The limits of the book are from the beginning of the reign of Louis IX. to the first years of the fourteenth century, a choice of period which is not as arbitrary as might appear. The beginning was fixed by the fact that Luchaire's *La Société Française au Temps de Philippe-Auguste* had exhausted the subject to the time of Louis IX., the *terminus ad quem* of the book by a change in the character of episcopal acts in the early part of the fourteenth century.

The bibliography at the beginning of the volume is uneven in character, giving books that were of considerable use side by side with others that can have been of no practical help, and omitting the titles of others that were probably used, and in any event are more valuable than some of those named. It leaves the impression of being inserted *pro forma*. The study itself is divided into two parts, of which the first is a critical consideration of the sources. The author opens with a useful critical note on Mansi, *Sacrorum Conciliorum nova et amplissima Collectio*, which might seem almost gratuitous after the merciless examination of that collection by Dom Quentin about a decade ago. Continuing, the author in several chapters, which once for all prove a thorough acquaintance with the pertinent sources, classifies "episcopal acts" as: conciliar statutes, which are not fruitful for information about parochial life; synodal statutes, for forty-five of which texts have been discovered; episcopal decrees, of which the author has assembled sixteen; and reports of church visitors, seven of which have come down to us. It is a pity that a work otherwise so excellent should, besides the ordinary errors which can best be called to the author's attention, have a fault which for the protection of the reader must here be mentioned: the misdating of bishop's reigns. This evidently proceeds from a misunderstanding of Eubel, and results in a mistake of a year, or sometimes two,

which is not much, but none the less impairs the reliability of the work. Though this mistake occurs throughout the book, by the perversity of mundane things there is a cumulation of errors on page 77. Thus Eudes Rigaud was archbishop of Rouen 1248-1275 (not 1247-1275). Jean de Sulli and Simon de Beaulieu were archbishops of Bourges (not Rouen), Bertrand du (not de) Got was archbishop of Bordeaux 1209-1305 (not 1297-1299, during which period he was bishop of Comminges), and Guillaume le Maire was bishop of Angers 1291-1314 (not 1290-1314, or 1261-1314, as given on page 59, where the correct date was evidently intended but the 9 probably was inverted). But this page is unique and does not fairly represent the book, which is generally accurate.

The second part of the study, *La Vie Paroissiale*, is treated in five chapters: I. L'Unité de la Paroisse; II. Les Intrus; III. Les Empiètements du Monde Laïque; IV. Vita et Honestas Clericorum (could not this have been in French since the rest of the titles are?); V. Conclusion. Admitting that a great deal of what is here set forth is already known, these chapters are none the less highly interesting and useful. Every one knows the impression gained from a short visit: certain episodes and objects remain in the mind with all the positiveness that comes from actual experience; and it is on the basis of these experiences and the impressions that one has gained, he knows not when or how, that the life of the place visited is pictured. The chapters before us with much skill take us for just such a fleeting visit to the parish curé, who is the central figure of these pages. In our short stay with him we get positive knowledge of some of his daily life and doings; we perceive that if he does all that is expected of him he will be a busy man, that his office requires capacity, courage, and education, that it gives him opportunity (which he does not always despise) to indulge his selfish or carnal nature, but, on the other hand, he can be, and often is, a tower of strength for the right. All this, these chapters permit us to see with our own eyes, as it were, and they deserve recognition for it.

The book has appended the text of certain pertinent sources which have not previously been printed.

EDWARD B. KREHBIEL.

Geschichte der Serben. Von CONSTANTIN JIREČEK. Erster Band (bis 1371). (Gotha: Friedrich Andreas Perthes. 1911. Pp. xx, 442.)

At last we are to have a really scientific history of Serbia. Hitherto there have been no general histories of the country available in Western languages save the by no means recent or impartial work of Kállay or the still older books of Hilferding and Rajić. The present work forms a part of the *Europäische Staatengeschichte*, begun by Heeren and Ukert, and continued by Giesebrecht and Lamprecht. The author, the well-known professor of Slavic philology in the University of Vienna, published, in 1876—at the age of twenty-two—an excellent *Geschichte der Bulgaren*, and has since put forth a long series of monographs dealing

with the historical geography and the trade relations of the Western Balkan lands in the Middle Ages.

The task of writing the history of medieval Serbia is by no means easy. The sources are fragmentary and scattered. There exists no *Codex Diplomaticus*, no *Regesta*, no *Fontes Rerum Serbicarum*, no historical bibliography. In spite of the labors of numerous Serbian and Croatian scholars of the present day, a host of problems remained unexplored or still within the realm of hypothesis. It was decidedly a case of having to build up the whole structure independently from the very foundation.

The first volume gives a survey of the pre-Slavic period of Balkan history; the settlement of Illyricum by the Slavs; the political, social, and economic organization of the Serbs in the early Middle Ages; and, finally, the political history under the Nemanja dynasty down to the battle of the Marica and the death of the last Serbian emperor in 1371. This last period was, of course, the golden age of medieval Serbia, an age replete with interest, not only for Slavists, but for the general student of Eastern European history, and especially for those who seek to measure the political and cultural influence of Byzantium. It is impossible to understand the Serbian people of to-day without some knowledge of the heroic age to which the race looks back for its ideals—the age of Stephen Dušan, “Emperor of the Servians and the Greeks”, when Serbia, the dominant power in the Peninsula, ruled from Dalmatia to Thessaly and to the gates of Constantinople.

Professor Jireček's book has the good qualities traditionally associated with German scholarship: thoroughness, accuracy, and sureness of judgment. He cites the sources with rare fidelity and discrimination; he indicates fully the secondary authorities for each chapter. Unfortunately, he writes without any pretensions to style and with scarcely a trace of human emotion—in the approved philological manner. In describing the terribly complicated politics of the Balkan Peninsula in the twelfth to the fourteenth centuries, he seldom spares us a campaign, a raid, even a border skirmish; he whirls us, year after year, from Italy to Asia Minor, from the Danube to the Peloponnesus; one is fairly dazed by the ever shifting combinations, the constant changes in territory and in the balance of power, the endless series of meaningless names, the mass of petty details. We see Greeks, Latins, Servians, Bulgarians, Magyars, Venetians, Saracens, Turks, and all the brood of Gog and Magog, engaged in a grand mêlée, but we are seldom told what it all means, for the writer rarely indulges in a paragraph of comment or explanation. As a repertory of information the book can be highly commended; but it comes dangerously near being merely a collection of desiccated facts.

The succeeding volume is to deal with the internal conditions under the Nemanja dynasty and with the age of the Despots down to the Turkish Conquest. Presumably the work will extend to four volumes.

R. H. LORD.

Lollardy and the Reformation in England: an Historical Survey.
By JAMES GAIRDNER, C.B., LL.D., D.Litt. Volume III. (London and New York: Macmillan and Company. 1911. Pp. xliii. 415.)

THE third instalment of Dr. Gairdner's *magnum opus* covers the period of Edward VI., and develops, during a period of marked Protestant ascendancy, the theories which he first advanced in its predecessors. Considering the fact that he announces that his object is "to show the influence of Lollardy on the Reformation", most of his readers will probably be surprised to find little or no explanation of the connection between the two movements. We are assured every now and then "that the principles of Lollardy cropped up again in the Reformation", that "the two things almost seem to be one at this time", that "Lollardy is with us still to some extent", and that "there is no getting rid of it entirely just as there is no getting rid of error or narrowness", but we are forced to take these statements on Dr. Gairdner's authority alone, for he brings forward no evidence to support them. If anything more than a mere question of names is involved in his theories of the continuity of heresy, it surely remains to be proved.

The book is, in effect, a severe arraignment of the doctrines and conduct of the lay and clerical leaders of the government in a period which teems with constitutional and religious innovations, and gives the author an admirable opportunity to display his hostility to "heresy" of all sorts. No attempt is made any longer to conceal the strong bias which was occasionally veiled in the earlier volumes. In one sense this is a distinct advantage, because the unwariest of readers could not possibly be deceived into thinking that the book which lies before us represents anything but a strongly partizan attitude. The author expresses his opinion freely on men and events, but, as the work progresses, it becomes increasingly easy to forecast what that opinion is to be. The imprisoned bishops are invariably extolled for their conscientious refusal to sanction innovation; the government minions invariably condemned for their subservience. Much-abused martyrologist Foxe of course comes in for criticism and refutation at every turn; no dog of that breed is so dead but that Dr. Gairdner must needs beat him. One wonders what he will do when the shoe is on the other foot, and he attacks the reign of Mary. It is certainly clear that his enemies must henceforth make up their minds to be judged by ideal standards according to strictest Actonian principles: no such harsh norm, however, is likely to be set up for his friends.

More strongly partizan than its predecessors, the present volume rests far less completely on the sources. Dr. Gairdner's intimate knowledge of the manuscript material for the reign of Henry VIII. is enough in itself to invest all his writings on that period with importance. With the reign of Edward VI., however, he is far less familiar. None of his

researches has led him to delve particularly deep in this field: the Domestic Calendar for the period is so poor and meagre as to be virtually negligible—the Foreign and Venetian ones are little better, and the Spanish does not cover the reign at all. Dasent's *Acts of the Privy Council* are of course valuable, but they are nothing in comparison with the enormous mass of material which has been made accessible, chiefly through Dr. Gairdner's own efforts, in the *Letters and Papers of the Reign of Henry VIII*. In attacking the period of Edward VI, he has lost the vantage-ground which he has hitherto possessed: he relies, in the present volume, for the most part on printed material which has been long accessible; and the novelty of his work lies rather in the judgments it pronounces than in the facts it contains. The element which has constituted the chief value of his earlier writings is almost absent; but he has given freer play than usual to his individual opinion, which, to say the least, is not always to be trusted.

It seems graceless to write thus disparagingly of the work of a veteran scholar now in his eighty-fourth year, who has spent the better part of his life in rendering the material for the history of the first half of the sixteenth century in England more accessible than that of any other period of her long and glorious annals—particularly so, when it is obvious, at every line, that the author regards the present book as the culmination of his labors. We have done so because the very fact that his name is on the title-page is bound to give the book great importance, and because its bias is so obvious that it challenges controversy in a way which it is impossible to ignore. Future volumes will be awaited with mingled eagerness and apprehension.

ROGER BIGELOW MERRIMAN.

Histoire de Belgique. Par H. PIRENNE, Professeur à l'Université de Gand. Volume IV. *La Révolution Politique et Religieuse, le Règne d'Albert et d'Isabelle, le Régime Espagnol jusqu'à la Paix de Munster (1648)*. (Brussels: Henri Lamertin. 1911. Pp. vii, 495.)

IN the course of M. Pirenne's account of the Eighty Years' War as told in this fourth volume of his *History of Belgium* occurs the first definite parting of the ways between the two groups of Netherland provinces. The fortunes of the Dutch republic are left to Professor Blok in his *Geschiedenis van het Nederlandsche Volk*, and from 1579 the pages of Pirenne are devoted exclusively to Belgium in her institutional, economic, social, and political individuality. The epoch between Alva's arrival and the formation of the unions of Arras and Utrecht has been worked over in every detail. M. Pirenne points out that in the early half of this volume, devoted to 1572–1579, he was embarrassed by the richness, in the latter, by the poverty, of his material. For the first part he has used the investigations of others and the narrative, clear and

colorless, is not illumined by new light in its rather meagre phrases. In treating the events that led to the rise of the United Provinces M. Pirenne, naturally, is not animated by an enthusiasm familiar to American and English readers. At the same time he is singularly free from the spirit displayed by certain Belgian writers, notably by Baron Kervyn de Lettenhove. In the dead level of Pirenne's neutral statements, occasional personal touches come as a grateful relief, as in the following characterization of Alexander Farnese: "There is a certain affinity between his character and that of the Prince of Orange in spite of the differences of temperament, of education, and of religious faith. In both is found the same clear-cut will, the same obstinacy allied to the same suppleness. With less natural ease and bonhommie but with more grace and distinction Parma exercised like Orange a charm on all about him and like him won sympathy." The *Apologie* is rated as "le plus beau peut-être, et à coup sur, le plus prestant, en même temps que le plus habile des pamphlets du XVI^e siècle". Such a cordial appreciation of the prince is a marked contrast to the terms of opprobrium heaped upon him by Baron Kervyn.

After entering on a consideration of the archdukes in their government of the Spanish provinces—the later Belgium—M. Pirenne grows warmer to his theme. His narrative almost breaks ground in its freshness. The reader becomes impressed by the real contribution to the *proportion* of Netherland history by this biography of Belgium.

The sketch of the gradual reduction of Albert and Isabella's promised independent administration to a colonial dependency of Spain is well done, as is also the treatment of the social and industrial life, but perhaps the most valuable chapter of the political story is that devoted to Liège. Pirenne makes clear the various inconsistencies in the part played by that little episcopal state in the revolt. The peculiar relations to the external authority of Church and State are brought out excellently well.

All authorities do not concur with M. Pirenne in his conclusion that racial and linguistic elements went for nothing in the ultimate separation of the Dutch and Belgian states. Religion was the sole cause to his mind. "Ce n'est point une lutte de race, c'est une lutte confessionnelle", he states with precision. The superficial observer is inclined to doubt this dictum, so easy is it to see and feel a fundamental diversity between the peoples, to note an incompatibility of temper quite sufficient to account for failure to be content in a close union.

The concluding volume will be even more interesting than this. M. Pirenne is to be congratulated that he has a new field and the public that it has this fair-minded, industrious Belgian scholar to do this much needed work of filling out gaps and of rounding out the story of his own national history.

RUTH PUTNAM.

La Marine Militaire de la France sous les Règnes de Louis XIII. et de Louis XIV. Tome I. *Richelieu, Mazarin, 1624-1661.* Par G. LACOUR-GAYET, Docteur-ès-Lettres, Professeur à l'École Supérieure de Marine. (Paris: Honoré Champion. 1911. Pp. x, 268.)

THE volume indicated above has been preceded by two similar one-volume studies by the same author for the reigns of Louis XV. and Louis XVI., and will be followed shortly by another to complete the reign of Louis XIV. for the period 1661-1715. The author attempts here as in the previous volumes to write "a general history for all those who are interested in the story of the past".

The reader will seek in vain, however, for a connected narrative history which the title of the volume perhaps leads him to seek. He will find instead a series of lectures, originally delivered before the École Supérieure de Marine at Paris, which treat successively the plans pursued by Richelieu for the creation, organization, and administration of a more efficient navy, the important naval campaigns of the period, and finally, in the last chapter, the struggle for naval supremacy between England and Holland during the Commonwealth and its general importance in the history of naval armaments and tactics.

Both the merits and demerits of a history in such a form appear. The style is clear and interesting. The reader is ever conscious that the author is endeavoring to hold his attention. It is perhaps for this reason that the author permits himself to glide over details and become at times extremely superficial. An illustration of this superficiality is to be found in the treatment of the very important siege of La Rochelle to which only eighteen pages are devoted. It does not contain a clear statement of even all the important facts of the siege, as will be seen by a comparison with the treatment of the same subject by de La Roncière (*Histoire de la Marine Française*, Paris, 1910, IV. 444 ff.). Here, as in other parts of the book, the author leaves the impression upon the reader of being unacquainted with the large body of printed and manuscript material which de La Roncière cites and of having failed to profit fully from the work of that author by a careful study of it.

No attention is paid to the state of the merchant marine or to the plans of colonial expansion pursued by Richelieu. Neither, to be sure, is included in the title which the author has chosen for his work, but both are vitally connected with the history of the navy and should have received at least a passing remark.

The author informs us in his preface that his work is based upon material found in the Archives de la Marine, but he fails to add that those archives contain very little for the period previous to Colbert's ministry, that is to say, for the whole period covered by the present volume, and that the importance of his researches there can only appear

in the volume announced dealing with the period 1661-1715. The proof of this is the fact that only about a score of citations to the aforesaid archives is made in the entire volume. His work in the present volume is based, in fact, most largely upon printed material and adds nothing of importance to our previous knowledge.

These bits of criticism have not been made with any intention of depreciating the value of the work which M. Lacour-Gayet has done and is doing, for after all he has written, so far as general readers are concerned at least, the most readable volumes dealing with the military history of the French navy which have yet appeared.

STEWART L. MIMS.

The Constitution and Finance of English, Scottish, and Irish Joint-Stock Companies to 1720. By WILLIAM ROBERT SCOTT, M.A., D.Phil., Litt.D., Lecturer in Political Economy in the University of St. Andrews. Volume III. *Water Supply, Postal, Street-Lighting, Manufacturing, Banking, Finance, and Insurance Companies. Also Statements relating to the Crown Finances.* (Cambridge: University Press. 1911. Pp. xii, 563.)

THE previous volume of Dr. Scott's remarkable work (*AMERICAN HISTORICAL REVIEW*, XVI. 604), which dealt with companies whose operations were mainly related to shipping and to foreign or colonial commerce, was of particular interest to students of British expansion. Even in this volume, which completes part II., the developments with regard to naval stores, fisheries, the South Sea scheme, and the connection of the new East India Company with politics and finance at the start of the eighteenth century, are by no means merely insular in range or of local importance. The chief interest, however, is domestic finance and industry. These, as the title indicates, develop in varied fields, yet throughout, the essential test is that of organization. Here are facts as to the Bank of England and as to companies formed "to trade in hair". The water-supply of London and the "Glasgow Soaperie", proposals for the making of swords and assurance for widows and orphans, all find their place in this cyclopedia of companies and partnerships. The whole is a storehouse of material for social and financial history; and in spite of arid pages the material is well organized; the references are often to rare pamphlets and forgotten newspapers and to manuscripts which hitherto have not been thoroughly examined even by investigators as patient and laborious as Dr. Scott.

The student of economic history expects in volume I., which is as yet unpublished, to profit by the great work of correlation, comparison, and conclusion for which the author's hitherto rigid exclusion of generalization and deduction has in part prepared him. The relationship of financial organizations in the first quarter of the eighteenth century is already in some degree exhibited here; and a table summarizing the

results of part of the contents of volumes I. and II. is available, pages 459-481. Naturally there are omissions; but here we have chronological lists giving for each of the chief joint-stock companies, 1553-1719, the character of the instrument by which the company was established, the type of government, data as to its capitalization, and varied facts relating to the number of shareholders and their powers.

Other welcome matters include an admirable survey of Scottish companies and partnerships, chiefly in the fifteen years which preceded the Union. Variety of production, including textiles, sugar, rum, soap, glass, iron, and cordage, exhibits in part the result of protective and sumptuary legislation in the latter half of the seventeenth century. Furthermore, as the desire of the Scots had been to "rival the Dutch in fishing and the English in the woollen trade" (p. 124), so the English, jealous of that trade in Ireland, were consenting to the development of Irish linen manufactures as an "equivalent" (p. 102) to the check on Irish woollens. The brief record of Irish textile companies thus casts some light on the early stages of this legislation.

An unexpected chapter on crown and national finances contains valuable tables. The subject will be treated in volume I., but here are statements which supplement and elucidate many aspects of the history of the revenue, notably for the reign of Elizabeth, the year 1641, and the latter part of the reign of Charles II. They are based in the main on indicated manuscript material. As a whole, the subject may well be developed to assist the study of some features of general industrial development.

In the field of banking, the analysis of credit conditions and the tabulation of variations in the stock market add to the value of the sound treatment not only of the Bank of England but also of the Bank of Scotland, the various land banks and the so-called Million Bank. These precede a more detailed study of the South Sea Company. Here, at immense labor, a large folding chart gives the daily fluctuations of the stocks of the South Sea and East India companies and of the Bank of England from May to September, 1720. Further evidence as to certain characteristics of this extraordinary period is found in a specially prepared list of 190 "new schemes and old undertakings revived" between September, 1719, and August, 1720.

Such a brief summary of a few of the chief features of this book of necessity renders even an illustrative examination of details impossible. The author's careful method in this packed treatment of confused financial data has already received notice; and the present volume follows the second to await the general judgment with regard to the work as a whole which can best be given when the first volume is published.

ALFRED L. P. DENNIS.

Souvenirs et Fragments pour servir aux Mémoires de ma Vie et de mon Temps, par le Marquis de Bouillé (Louis Joseph Amour), 1769-1812. Publiés pour la Société d'Histoire Contemporaine par P.-L. DE KERMAINGANT. Tome III., Mars 1806-Novembre 1812. (Paris: Alphonse Picard et Fils. 1911. Pp. xlv, 625.)

THIS volume forms the conclusion of the *Souvenirs* of Bouillé. (For the reviews of the first and second volumes see the AMERICAN HISTORICAL REVIEW, XII. 924 and XV. 413.) It contains the editor's preface, based, to a considerable extent, upon unpublished material in the archives of the Bouillé family. With the three volumes before us, we are able to reach some definite conclusion concerning the time of writing. The work was dictated by the Marquis de Bouillé and was begun August 8, 1828. The first volume, containing portions of the marquis's recollections already made public, was dictated in 1828 and 1829; the second volume occupied the years 1830, 1831, 1832; and the third was finished, evidently, in 1834. His public career ended in 1812, and he referred at the close of the last volume (III. 572) to "les faits publics qui se sont passés . . . pendant une période de vingt-deux ans déjà écoulés depuis que je ne suis plus, pour ainsi dire, qu'un assistant à la vie". As documentary evidence, this last volume is more valuable than its predecessors, as it is little more than a redaction of very full notes, or journals, written at the time of the events described. It covers the period from March, 1806, to November, 1812, describing in detail the campaigns in southern Italy, Poland, Silesia, and Spain in which Bouillé took part. He did not attempt to describe the operations as a whole, but confined himself chiefly to matters with which he was personally concerned. The chapter on the campaign in the kingdom of Naples was written, Bouillé tells us (III. I, note), from notes taken during the campaign and written up in 1807. The campaigns of Poland and Silesia, also based upon notes, had been redacted in 1808, those of the years 1808, 1809, 1810, 1811, and 1812 were, according to Bouillé (III. 163, note) written by him, up to the taking of Granada, while he was in the army and afterwards edited under his dictation, from his notes and journal of the operations of the army, and terminated January 3, 1819, in the form in which they have been published. When the rest of the volume was edited he does not tell us, but it is very evident that it too was based upon very detailed notes taken in the field. The military historian of the Napoleonic period can study this volume with profit. He will find in it interesting observations on the conditions of the country in which the campaigns took place, on the composition and activities of the army, on the characteristics of the Napoleonic generals and the weaknesses of the Napoleonic system. Not the least interesting part of the volume is that dealing with the personal fortunes of Bouillé. When he returned to the French army he was given the rank of major, a grade lower than that held before his departure

from France. One follows with interest his struggle to better his condition, to rise to the rank of general. We see the Napoleonic army through the eyes of a soldier of the *ancien régime*. Confident in his own ability, Bouillé attributes his slow advance to the jealousy of those above him in rank; he is given no opportunity to distinguish himself, or when he does distinguish himself his deeds pass unrecorded or unrewarded. His superior may act upon his advice, but he receives no credit for the suggestion. Only after three years of campaigning, in 1809, is he made colonel—the rank he held in the English army—and in 1810 brigadier general. The loss of his sight, in October, 1812, forced him to abandon the army, a disappointed man. "I have almost never been able to be what I might have been and wished to be. . . I have not been appreciated", he exclaimed later. "Retenons ce mot", writes M. Kermain-gant, the editor of the *Mémoires*, "il aide à comprendre l'esprit dans lequel ont été écrits les *Souvenirs*; il en donne pour ainsi dire la clé."

FRED MORROW FLING.

La Première Commune Révolutionnaire de Paris et les Assemblées Nationales. Par P. LACOMBE, Inspecteur Général Honoraire des Bibliothèques et des Archives. (Paris: Hachette et Cie. 1911. Pp. xiii, 389.)

It is with a feeling of disappointment that one concludes the reading of M. Lacombe's volume, notwithstanding its excellent qualities. This is not due to the restricted scope of the subject, for the relations between the Commune of August 10 and the two national assemblies, the Legislative and the Convention, during the period closing with the election of a new municipality, are sufficiently complex and interesting to invite extended treatment. The trouble is that while the author quotes many words which the speakers of the Commune uttered, and describes some things which the Commune did, he leaves the Commune itself too much in the shadow. Only towards the close of the volume does it become apparent that Paris is not united, and that, for example, the Bureau and the Council General are bitterly opposed to one another. Not even then does M. Lacombe give us any detailed information upon the nature and extent of these divisions, so that we are obliged to study a controversy between two parties one of which remains, as it were, screened from our gaze. Of course, details about the Legislative Assembly or the Convention are not required, but the Commune of August 10 has not been treated adequately, except so far as Mortimer Ternaux has described it in his *Histoire de la Terreur*, and his description cannot be considered sympathetic. After M. Sagnac's careful treatment of August 10 in his *Chute de la Royauté* the way was open for a similar handling of the difficult period that follows.

In his study of the subject M. Lacombe has purposely limited himself to the analysis and interpretation of speeches. He believes no sufficient effort has been made to penetrate to the real testimony which the

speeches offer, whatever the ostensible motive of their utterance. Consequently he has not used contemporary letters or memoirs, or unprinted material of any sort. For the text of speeches he has relied mainly upon the *Moniteur*, the *Journal des Débats et Décrets*, and M. Aulard's collection for the Jacobin Club.

Although M. Lacombe says he entered upon the investigation of the subject without prepossessions, the result of his studies has been to make him an "adversaire résolu de la Commune et de ses partisans", and he is convinced that "la Commune reste la grande criminelle que rien n'absout". This conviction appears in every chapter of the book and, indeed, determines the line of development in the treatment of the whole subject. He scorns the historian who is simply a registering machine, and goes so far in the other direction that he often apostrophizes his principal characters, especially Danton and Robespierre, interrupting his quotations from their speeches to question and comment. This makes the discussions unusually lively. His remarks are so frank, and he quotes so liberally from the speeches, that even the reader who has not access to the original documents is rarely left at the mercy of his judgments.

Whatever the shortcomings of the method, the presentation is effective and leaves the impression that the Revolutionary Commune seriously compromised the cause of the republic, and that it was condemned by prominent Montagnards as well as by Girondists. Whether this thesis was sufficiently novel to justify the publication of a volume of proof may be questioned.

H. E. BOURNE.

Geschichte Europas seit den Verträgen von 1815 bis zum Frankfurter Frieden von 1871. Fünfter und sechster Band. (Zweite Abteilung, zweiter und dritter Band.) Von ALFRED STERN. (Stuttgart and Berlin: J. G. Cotta. 1911. Pp. xiv, 456; xviii, 639.)

STERN's History of Europe from the Congress of Vienna to the Peace of Frankfort has now reached the year 1848, volumes V. and VI. covering the period since 1835. The rate of progress here attained is slightly greater than in previous volumes, in spite of the fact that the scope is somewhat widened by the inclusion of the Scandinavian countries and the content made more complex by the increasing variety of interests considered. This result has been attained partly by reducing the space devoted to strictly political questions and partly by extending the sixth volume to include nearly six hundred pages of solid text.

On the whole the author distinctly improves as he advances. There is little difference in the quality of the scholarship or the thoroughness of the research, but the style seems to grow smoother and more lucid and the interest in other questions than politics and diplomacy more manifest. In truth the fourth and fifth decades of the nineteenth century are far

less important from a political than from a social and economic standpoint and Stern has fully recognized this fact. There are no better chapters here than those dealing with the literature of the period, with the religious awakening, with the rise of socialism and communism, and with the beginnings of the great revolution in commerce and transportation that marked the overthrow of the old system in Europe. For that reason the volumes before us have a peculiar character and coloring of their own in that they deal with a period filled with movements anticipatory of the future. The birthday of the railway was September 15, 1830; Owen was the greatest forerunner of the struggle for economic freedom; the Chartist movement was the first organized proletarian effort in the history of Europe.

The present volumes are based throughout on that same sound foundation of scholarship with which Stern has already made us familiar. The latest monographic literature has been examined and the archives of Paris, Vienna, Berlin, Carlsruhe, and Frankfort have been searched for documents. Hardly a chapter but shows some addition to the knowledge hitherto had of European history. In a few instances the additions are extensive, as in the case of the Spanish Marriages, the career of Louis Bonaparte, the interest of Frederick William IV. in the first United Diet at Berlin, and the economic and political situation in Austria during the entire period. In one respect, however, we meet with a notable omission. No documents are recorded from the British archives. Evidently Stern was denied access to the Foreign Office papers at the Public Record Office after 1837. This refusal by the British government is difficult to understand in view of the fact that students have been allowed access to records of date as late as 1850, and it is greatly to be regretted since these records must throw light on some of the important diplomatic questions here involved.

The volumes open with a chapter on literature, strikingly interesting as showing the influence of the Revolution of 1830 and the close connection which existed at that time between literary expression and social and political aspirations. The author then passes to Austria and Hungary, 1830-1840, and to Germany and the Zollverein. At this point he introduces two chapters on the religious and social movements, and is very successful in dealing with the waves of religious thought and socialistic conviction that swept over Europe and weakened so many of the old established landmarks. In a section on the papacy he portrays the strength of its influence abroad, though suffering from dry rot at home, and its power in combating successfully the neo-Catholic movement under Lamennais. He devotes a large amount of space to Chartism, considerably in excess of that given to the Parliamentary war between the Whigs and the Tories, and he is able to introduce brief sections on Canada and Jamaica. From England he turns to France and traces the influence of the Eastern Question and the gradual loosening of the bonds between England and France. He deals with Louis Bonaparte

and the Napoleonic legend, and in the last half of volume V. takes up the Carlist uprising and the progress of the Eastern Question in relation to Russia, which showed so clearly the weakness of the European system.

Volume VI. opens with a chapter on the great commercial revolution, ushered in by the practical application of steam and electricity, and the influence of that revolution on agriculture, society, literature, and national unity. Then follow chapters on England and the repeal of the corn laws, the Spanish Marriages and the breach with France—a subject that he discusses with great restraint, and then he passes to Germany under Frederick William IV. After reviewing the history of the Scandinavian countries since 1814, and of Denmark to the accession of Frederick VII. and the issue of the patents of 1846, he introduces a stimulating section on the economic condition of Germany and the growth in the minds of the German people of the idea of commerce and a navy, the expansion of the Zollverein, and the extension of customs relations with other countries. In all that he says of Prussia and Austria of this period he has gone far beyond Sybel in accuracy, fairness, and sense of proportion. The last part of volume VI. is devoted to Russia, the Balkans, Austria and her dependencies, Hungary, Italy, Sicily, and Switzerland, and the volume closes with the events in France leading to the Revolution of February, 1848.

In the space allotted to this notice I can do little more than give a general idea of the contents of these volumes. The work of Stern is too well known to need elaborate exposition here. This portion of his history is full of quotable passages, of striking characterizations, and important additions of fact. Everywhere is the treatment sober and well balanced. There are no traces of partizanship, no vagaries, and no unnecessary digressions. The volumes to come will deal with events of greater complexity and magnitude; those which have been written are full of happy auguries for the successful completion of the undertaking.

CHARLES M. ANDREWS.

Garibaldi and the Making of Italy. By GEORGE MACAULAY TREVELYAN. (London and New York: Longmans, Green, and Company. 1911. Pp. xi, 390.)

THIS, the third and final volume of Mr. Trevelyan's biography of Garibaldi, was in many respects the most difficult of the three to write. It will be more debated than the others, because it covers those checkered months when Garibaldi the politician undid or denatured much of the glorious work of Garibaldi the paladin of liberty. On these points partizanship still runs high. Mr. Trevelyan, though an admirer of his hero, is not blind to Garibaldi's defects: therefore, his opinions will command unusual attention. For among Italian writers to-day it is almost as impossible to get a sober estimate of the leader of the Thousand as it is among Germans to get a sane estimate of Goethe.

In general, this volume has the same qualities as its predecessors.

Clear in style, concrete in phrase, swift in movement, it confirms Mr. Trevelyan's prestige as a writer of historical narrative; but it deals also with subjects that call for the exercise of judicial faculty, with political snarls that need to be disentangled, and with various characters that must be interpreted. Historical students, whose first curiosity is to appraise an author's material, will find that in this regard Mr. Trevelyan's chief novelty lies in his having had access to Lord John Russell's papers. Lord John, it is almost superfluous to state here, was in 1860 the great foreign champion of Italy for the Italians. Through Hudson, the British ambassador at Turin, he supported enthusiastically Cavour's general policy, and from his brother-in-law, Henry Elliot, the British minister at Naples, he received regular bulletins on the progress of the dissolution of the Bourbon kingdom. The British Blue Books contain the official correspondence; but Lord John's private letters have not been published, and Elliot's *Diplomatic Recollections* were printed privately. Mr. Trevelyan has studied both carefully; with the result that we can now trace with certainty the evolution of Russell's policy during the Garibaldian Expedition.

Probably the most important single event which Mr. Trevelyan helps to clear up is Russell's change of base in refusing to blockade the straits of Messina against Garibaldi. The story has long been known in Italy—Professor Villari printed it nearly thirty years ago—but it has been commonly overlooked; so that the confirmation of it here, from the Russell papers and Vernon's journal, must be accepted as conclusive. The key to Lord John's diplomacy during these critical months was his plan to circumvent Napoleon III. by supporting the Italians. The emperor had forfeited their gratitude by stopping the war at Villafranca, and he had aroused the enmity and alarm of Europe by compelling the cession of Nice and Savoy. Lord John saw his chance and made England the chief backer of the Italian patriots. Mr. Trevelyan has epitomized the shifting diplomatic moves in this transaction with great lucidity.

But his central theme is Garibaldi's own exploits, from the occupation of Palermo in June till the departure for Caprera in November, 1860. All that pertains to the campaign is described with such minuteness that, if Mr. Trevelyan did not display equal aptitude for other branches, we should name military history as his forte. He gives the best report of the battle of Milazzo; he paints a vivid panorama of the miscellaneous fights which made up the victory of the Volturmo; he even goes out of his way to chronicle Castelfidardo and the fall of Ancona. Nothing of its kind could be better than his narrative of Garibaldi's rush from Reggio to Naples. His version of these and similar episodes is so excellent that one feels they need not be elaborated again.

But the political questions, though they may seem to shallow readers less picturesque, are nevertheless the most important; and it is on Mr. Trevelyan's treatment of them that the permanence of his work will

rest. These are the nature of the Garibaldian régime in Palermo, Sicily, and Naples; Garibaldi's relations with the Italian government at Turin, and with the various factions of the Party of Action; Garibaldi's character; and his legacy to Italian unity. Speaking broadly, Mr. Trevelyan's account of the political and administrative conditions of Sicily and Naples under Garibaldi is less conclusive than his war story. Taking it for granted that such a revolution among such a people had to be accompanied by abuses, mistakes, scandals, and contradictions, he prefers to blazon the bright spots. He keeps consistently to the fore Garibaldi "the Poet in Action", so that one must sometimes read between the lines to realize the virulence of the policy which Bertani and Crispi engineered with great ability and Garibaldi, more or less unwittingly, countenanced. So too the feuds which have torn Italy for fifty years might never have flourished if Garibaldi had not abetted them. Mr. Trevelyan, however, regards these things as the accidents of the hero's career, and paints what a distant posterity may choose to remember as the essentials—the chivalry towards comrades, the courage, the devotion to the ideal of patriotism, the amazing success as a guerilla leader, the apparent self-sacrifice. We doubt whether any subsequent historian will surpass him in this field.

One cannot take leave of the three volumes without expressing anew admiration that a narrative biography of such high quality has been produced at this time. It is popular in the best sense but based on very careful study of every available source, as anyone who turns from the brilliant text to the numerous and vigorous appendixes will recognize.

WILLIAM ROSCOE THAYER.

Geschichte der Russischen Revolution. Von LUDWIG KULCZYCKI. Einzig autorisierte Übersetzung aus dem Polnischen, von ANNA SCHAPIROE-NEURATH. Band II. *Vom Versuch, die Agitation ins Volk zu tragen, bis zum Verfall der Organisation "Volkshfreiheit" (1870 bis 1886).* (Gotha: Friedrich Andreas Perthes A.-G. 1911. Pp. viii, 535.)

PROFESSOR KULCZYCKI's second volume carries out the promise of the first, as described in the July number of this REVIEW. He has continued to write a serious, thoughtful work based on wide knowledge and careful research. His tone is ever sober, his judgment independent. The chief fault we have to find with him is one of limitation. Broad as is his treatment of his subject it is not as comprehensive as his title leads us to expect, for he does not really give us a history of the Russian revolution. Thus he tells us but little of the state of the country or of the movements of the masses; he refers to, without describing or explaining, the anti-Semitic riots of the time, and he vouchsafes almost no information on such important topics as the efforts of the moderate liberals and the doings of the zemstvos. His book might more properly be labelled

"A History of the Russian Revolutionary Organizations", or even of their ideas only. On the topics to which his attention is primarily devoted, he is most instructive, though not, it must be confessed, easy reading. Countless names of obscure heroes or conspirators—whichever we choose to regard them—appear but once or twice in his pages to be succeeded by others equally fugitive, and the theories and writings that he analyzes are so numerous and often so much alike that the reader is in danger of retaining a blurred impression when all is done. Most students of the Russian revolution would indeed be grateful to Professor Kulczycki if he had said a little more about actual events during the period he describes, albeit at the sacrifice of some pages about, for instance, the metaphysical principles underlying the socialistic theories of Lavrov. We feel a certain relief when we reach the second part of the volume, which covers the years when his characters begin to do something besides theorize and write clandestine literature.

It was during the late seventies that the Russian revolutionaries gradually dropped the vague theoretical anarchism they had imbibed from Bakunin and others, and abandoned their worship of the ideal nature of the peasant and their dream of a spontaneous social upheaval. Instead, they became a party of action, theoretical Socialists, usually of the school of Karl Marx, but willing to postpone the regeneration of society to the more immediate task of combating the existing form of government. In order to do this last the more effectively, they were now ready to ally themselves if need be to the liberals, the representatives of the bourgeoisie. Also, recognizing that the peasants were with few exceptions beyond their reach, they directed their efforts, and with a measure of success, to winning recruits from the new class of the industrial laborers. With the government they waged relentless war, that is to say, they became terrorist assassins. Their extraordinary series of exploits, beginning with the shooting of General Trepov, January 24 (old style), 1878, by Vera Sassulich, culminated in the murder of Alexander II. on March 1, 1881. After that, when they had almost driven the autocracy to the granting of some sort of constitution, they suddenly paused. Most of the active members fell sooner or later into the hands of the police and the rest of the party returned to the more peaceful task of "education" or secret propaganda, but not of real conspiracy. The volume closes with the dissolution of the society of *Narodnaia Volia* (Liberation of the People) and the gradual quieting down that marked the reign of Alexander III.

We note that Professor Kulczycki, though always calm, makes no concealment of his sympathy with the Terrorists. Far from condemning them, he evidently regards the abandonment of their policy as a great mistake. It is therefore easy to forecast what his attitude will be when he comes to deal with more recent events.

ARCHIBALD CARY COOLIDGE.

BOOKS OF AMERICAN HISTORY

Die Spanier in Nordamerika von 1513-1824. VON ERNST DAENELL.
[Historische Bibliothek herausgegeben von der Redaktion der
Historischen Zeitschrift. Band 22.] (Munich and Berlin: R.
Oldenbourg. 1911. Pp. xv, 247.)

THE title of this book is misleading, for except incidentally nothing is said concerning what is now Mexico, manifestly the most important if not the largest portion of Spain's dominions in North America. The book is rather a sketch of Spanish activities within the present United States, and is the first of this class to appear. Such being the important position occupied by the work, a statement of its scope and organization is indispensable. It contains twelve chapters, dealing with: (1) Spanish North America before the conquest of Mexico, Ponce de León, Pineda, Narvaez, and Cabeza de Vaca; (2) the great explorations—Cortés, Fray Marcos, Coronado, de Soto, Cabrillo; (3) the occupation of Florida and New Mexico; (4) Spanish colonial methods; (5) New Mexico to 1680; (6) Peñalosa and La Salle; (7) expansion in the later seventeenth century—Texas, New Mexico, Florida, Lower California, Pimería Alta; (8) the first half of the eighteenth century—Florida, New Mexico, Texas, the contest for the great plains; (9) changes and progress till the American Revolution—the Louisiana cession, Russia on the Pacific, Rubí, Alta California; (10) the end of Spanish rule—Spain and the American West, the sale of Louisiana to the United States, pressure by Americans on the Spanish frontier, the revolution in New Spain, results and significance of the Spanish régime. The book is broadly conceived, as the foregoing shows, and on this score deserves commendation.

While some attention is given to the internal development of the different provinces and two chapters are devoted to colonial administration and commercial policy, the central theme of the book is political—the external struggle with France, Russia, England, and the United States for dominion. In general the treatment of this phase is good, and especially so is the account of the frontier contest in the eighteenth century for the control of the great plains east of New Mexico. But there are some shortcomings even on this score. No mention is made, for example, of the contest for the control of the Lower Trinity River, of the very significant expansion movement on the northeastern frontier of New Spain on the eve of the Louisiana cession of 1762, of the connection between that cession and the occupation of Alta California; or of the reoccupation of eastern Texas after 1772, an event of great significance for subsequent developments.

Chapter iv. is a good summary of Spanish colonial methods in the sixteenth century as set forth in the ordinances, but there is no hint that, except in the beginnings of New Mexico and Florida, in the sixteenth century, these rules had little practical application in the frontier provinces which form the theme of the book. The whole matter of

encomiendas, for example, is beside the point when treating of Spanish Texas or Spanish Alta California. In other words, a correct knowledge of actual administration in the frontier provinces in the seventeenth and eighteenth centuries cannot be gained from general ordinances of the sixteenth century. The investigation must go deeper. A discussion of the administration of the northern provinces which makes no mention of the *Provincias Internas* or of the Marine Department of San Blas is manifestly inadequate.

The author has made extensive use of several of the larger collections of sources, but we miss with surprise citations of the *Documentos para la Historia de México* (Mexico, 1853-1857), the "Memorias para la Historia de Nueva España", or the more special collections such as García's *Dos Antiguas Relaciones de la Florida*, and Portillo's *Apuntes para la Historia Antigua de Coahuila y Texas*. Independence is praiseworthy, but the desire to be independent does not justify ignoring the work of specialists in the field. A wider use of monographs and a less confident reliance upon French sources, principally those contained in Margry, would have saved the author many errors of detail.

The weakness of the book on this score can be illustrated by the treatment of the single province of Texas, in which we miss references to the works of de León, Espinosa, Arricivita, Yoakum, Portillo, and Garrison, and numerous indispensable papers published in the *Texas Quarterly*. The author implies that de León's expedition of 1689 was the first instead of the fourth by land in search of the French (p. 124); de León did not have four or five hundred men, but eighty or one hundred, on that expedition (p. 124); the second mission on the Neches was not founded by the Terán expedition, but in 1690 (p. 125); there is little ground for the statement that the Asinais Indians hated the Spaniards in 1719 (p. 146)—as a matter of fact they begged the missionaries to remain with them; Los Adaes (not Adai) was seven leagues, not seven miles, from the Red River (p. 147); it was established for the first time, not re-established, in 1721 (p. 147); San Antonio was not founded in 1692, but in 1718 (p. 148); Espíritu Santo Bay was occupied from San Antonio, not Los Adaes, as a base (p. 147); the statement on page 148 concerning the number of presidios in Texas is not clear, but if we understand its meaning it is incorrect; it is very erroneous to state that Texas took no active part in the Mexican War of Independence (p. 244).

In short, the book is a very useful and meritorious general sketch, but is marred by numerous shortcomings of detail and insight which would have been corrected by a more specialized knowledge of the field.

HERBERT E. BOLTON.

The Swedish Settlements on the Delaware: their History and Relation to the Indians, Dutch and English, 1638-1664. With an Account of the South, the New Sweden, and the American

Companies, and the Efforts of Sweden to regain the Colony. In two volumes. By AMANDUS JOHNSON, Ph.D., Instructor at the University of Pennsylvania. (Philadelphia: University of Pennsylvania. 1911. Pp. xx, 1-466; xii, 467-879.)

MODERN studies of New Sweden begin with the publication of Odhner's *Kolonien Nya Sveriges Grundläggning* in 1876 and of Sprinchorn's *Kolonien Nya Sveriges Historia* in 1878, by which the Swedish archives were made to cast a flood of light on the subject, and of Fernow's *Documents (N. Y. Col. Doc., XII.)* in 1877. On these Professor Keen built his remarkably excellent account in Winsor, published in 1884. Since that time the main features of the story have been correctly known. But these articles of the Swedish professors and of the American professor of Swedish descent were only sketches, and without doubt Dr. Johnson's elaborate work will take rank henceforward as the chief, and for a long time to come the definitive, account of New Sweden and of its antecedents. Indeed so extraordinarily thorough has been his search that it is not easy to imagine anyone discovering much more at any time in the future by gleaning after him. Endowed by nature with a remarkable scent for documents, he has ranged through Sweden, gathering apparently all that related to his subject in the Royal Archives and those of the Exchequer and Admiralty at Stockholm, and in the Royal Library there, in the archives of the Consistory at Upsala, and in the university libraries of that city and of Lund. He has worked through the needful portions of the archives of the Hague and London, the rich stores of manuscript possessed by the Historical Society of Pennsylvania, and a few other collections, and it does not appear to the reviewer that he has neglected any bit of evidence already in print that relates to his theme. The result of all these patient and laborious searches has been the discovery of not a few documents of importance, the revelation that the Swedish archives cover the history of the colony, especially its economic history, with quite exceptional fullness of detail and completeness, and the accumulation of a great fund of knowledge respecting the Swedish settlements in the Delaware River region. Many of the documents unearthed seem well to deserve publication, especially the series of letters of Governors Printz and Rising, and Rising's minute and valuable journal. Those which Dr. Johnson prints in one of his appendixes are for the most part merely instructions to outgoing officials.

It is no disparagement of the book to say that its highest merits are in the field of heuristic since its success therein is most unusually complete. As a narrative exposition of the history of an interesting colonial experiment it is also worthy of high praise. It has little grace or attractiveness of style, but is clearly and intelligently written, with only occasional influence of Swedish or other foreign idiom. It is of much the same sober variety as Brodhead's history of the same period

in the history of New Netherland; indeed the comparison between the methods and mental qualities of Brodhead and of our author would be a close one, though the latter has not quite Brodhead's accuracy of statement, nor all his correctness in bibliographical reference or in proof-reading. On the other hand his picture of the European background of his story is more vivid than Brodhead's, and he does far more to illustrate the financial history of the colonizing company at home and the economic and social history of the colony itself. His bibliographical appendix is remarkably extensive, perhaps in parts too much so, and his appendix of brief biographies of the chief persons involved in his story is a helpful feature, though it causes the excision of much interesting matter from its normal place in his text.

The management of the text presents the dilemma usual in histories of colonies, the division of attention between the two sides of the Atlantic. Dr. Johnson solves it by alternation—first a group of chapters on developments in Sweden, then a group on the events in the Delaware colony, and so on in succession through the chief natural periods of the story. In the former set he describes in a businesslike manner the history of the various Swedish colonizing and commercial companies, surveys Sweden's international politics in that great era carefully but not brilliantly, and sets forth with particular pains the details of that country's social and economic life in the earlier half of the seventeenth century. A wealth of good illustrations helps out this exposition, and it is made to tell very effectively in the valuable chapters on the culture-history of New Sweden. The index is good. It is quite possible to maintain that 900 pages imperial octavo is a good deal for twenty-six years' history of a colony that never numbered five hundred inhabitants. But there are more than a million persons of Swedish descent in the country now, and New Sweden prepared the way in an important degree for the great commonwealth of Pennsylvania, and the story may well be told, once for all, with authoritative fullness. Taking it as it is, the book reflects great credit on the author, on his university, and on the Swedish Colonial Society, which has given substantial aid toward its publication.

J. FRANKLIN JAMESON.

The Holland Land Company and Canal Construction in Western New York. (Volume 14 of the Publications of the Buffalo Historical Society. 1910. Pp. xiv, 496.)

No part of this volume contains more that is of potential interest to the readers of the REVIEW than the Rough List of Manuscripts in the Library of the Buffalo Historical Society which occupies pages 423 to 485. Many of the manuscripts are, naturally, of local concern only. But others are of scattered or even of general significance. Thus the fur-trade finds illustration from Ogdensburg to Great Slave Lake, and the

early trade of the Great Lakes from Black Rock to "Chicager". There are also many papers referring to the Indians, and not a few to the Civil War. Perhaps the Holland Land Company's papers, which furnished most of the material for the present volume, and the papers of Millard Fillmore, largely printed in volumes X. and XI. of the society's *Publications*, are of the greatest general interest. But it is difficult to be sure of that because the list is unevenly compiled. Sometimes single letters, and even receipted bills, are separately calendared. In other places "several hundred documents" are covered by one brief entry and "several thousand" are disposed of in four pages. Still the list as a whole confirms the favorable impression which the successive volumes of the society's *Publications* have made concerning its manuscripts, and renders it especially grateful to note here that "the entire collection is classified, catalogued and as readily and freely at the service of students as the books in our library".

The correspondence which gives title to this volume occupies less than half its pages. Joseph Ellicott, local agent of the Holland Land Company at Batavia, is the writer of most of the letters, and his principal correspondent is his chief, Paul Busti, general agent of the Holland Companies in Philadelphia. There are letters also from Governor Clinton, Simeon DeWitt, and various congressmen and canal commissioners, notably Thomas Eddy and Myron Holley. Ellicott's knowledge of the western country, especially exhibited in two detailed reports to DeWitt in 1808 and 1817, seems to have been put at the disposal of the commissioners without much consideration of the company's peculiar interests. In respect, however, of the company's donation of its lands to the state in aid of the construction Ellicott, who always believed the project of the canal feasible, was quite as canny as Busti, who was still insisting in 1817 that "if ever begun it will in no age be completed". As a whole the correspondence throws a welcome light upon the financing as well as the construction of the canal, and it incidentally illuminates many economic phases of the movement of population from New England into western New York.

The student of New York politics, as well as the local historian of the canal towns, may well read the seventy pages containing the gossip journal of the tour which Colonel William Leete Stone made from New York to Niagara in 1829, but only botanists or geologists will concern themselves with young George W. Clinton's briefer account of his school excursion over the canal in 1826. Almost altogether local are the eighty pages of Black Rock Harbor Papers, 1816-1823, which supplement even ampler materials on the same subject published in earlier volumes.

The editor's notes are not extensive, but they seem to be adequate and accurate. The volume is well printed, well indexed, and well bound. Altogether it is an excellent example of what a live local historical society may do.

C. H. HULL.

Acquisition of Oregon and the Long Suppressed Evidence about Marcus Whitman. In two volumes. By Principal WILLIAM I. MARSHALL of Chicago. (Seattle: Lowman and Hanford Company. 1911. Pp. 450; 368.)

THE publication of Marshall's *Acquisition of Oregon* marks an epoch in the Whitman controversy and brings to culmination the available evidence upon each side of the question: "Did Marcus Whitman save Oregon?" Students of Pacific northwest history are familiar with the discussions upon this mooted point extending over a period of twenty-five years and closing only with the death of the two principal participants—Myron Eells in 1906 and William I. Marshall in 1907. By noteworthy coincidence each of these writers left an unpublished work summing up his side of the controversy. In Eells's *Marcus Whitman, Pathfinder and Patriot* (Seattle, Harriman, 1909) was published the ablest defense of the pro-Whitman side. The work under review sets forth more fully and emphatically than any previous work the negative side.

To the preparation of this work the author devoted the leisure hours of a lifetime. As a lecturer upon topics relating to the West, Mr. Marshall became interested in Whitman in 1877. Believing with Dr. Mowry, who first told him the story, that Whitman was influential in saving Oregon to the Union, he journeyed to Oregon in 1882, hoping to find conclusive evidence which would justify him in proclaiming Whitman as a great, neglected patriot. Failing here as in the East to find such evidence, he began to doubt the correctness of the claim made for Whitman. In 1887, he made a careful examination of the extensive correspondence between Whitman and his associates and the American Board of Commissioners for Foreign Missions. He here found, in the archives of the American Board, evidence which convinced him that Whitman's journey to the states in 1842-1843 was purely on missionary business and that as a man Whitman had been greatly overrated. He became further convinced that this evidence had been purposely kept in the background and that a definite effort was being made to extend a belief in the indebtedness of the United States to Whitman and the members of the Oregon Mission of the American Board. As a school-principal Mr. Marshall began an active campaign to secure a revision of history textbooks that would remove from them the extravagant claims there made for Whitman. Antagonized by parties personally interested in the glorification of Whitman and aroused by the apathy of certain historical writers and publishers, he maintained a diligent search for all possible evidence bearing upon the question. As a result of exhaustive research and unflagging zeal, he completed shortly before his death the present work aiming to prove the unimportance of Whitman's career in respect to influence upon the political destiny of Oregon.

As to scope, the *Acquisition of Oregon* covers the time from the

earliest discoveries down to the treaty of 1846. Special attention, however, is given to the period of joint occupation. An informing chapter is devoted to the development of the first transcontinental wagon-road, revealing a most intimate familiarity with the geography of the Rocky Mountains but omitting a much needed map. Perhaps the most valuable chapter of the book is the one which relates to the attitude, information, and action of the United States government in regard to the Old Oregon Territory. Of particular interest to the special student are the documentary sources reproduced, many of them difficult of access and a considerable number, notably letters of Marcus Whitman, never before published.

As to style, the work is marred by a polemical tone which detracts from the weight which the author's knowledge and essential fairness should carry. Foot-notes are lacking but textual citations are abundant. An unusually full index is provided.

The following typographical errors are to be noted: in volume I., page 70, *Missionary Herald* is made to read *Missouri Herald*—a mistake repeated on page 80. The name of Professor Schafer, volume I., page 97; appears as "Shafer". The first paragraph of the introduction calls for an appendix which has been omitted without explanatory footnote.

The posthumous publication of this work is due to Mr. Clarence B. Bagley of Seattle. Although belated until the controversy has in the main subsided, it constitutes a most important addition to the Whitman literature. The author has probably underestimated the character of Whitman but he has furnished ample proof of the contention that Whitman did not save Oregon.

CHARLES W. SMITH.

A Journey from Prince of Wales's Fort in Hudson's Bay to the Northern Ocean, in the Years 1769, 1770, 1771, and 1772. By SAMUEL HEARNE. New edition, with introduction, notes, and illustrations, by J. B. TYRRELL, M.A. (Toronto: The Champlain Society. 1911. Pp. xiv. 437.)

It is gratifying to record the reproduction of this almost classic work of travel in such a creditable form, with its welcome illustrative wealth of additional maps, notes, and photogravures.

A Hudson Bay factor, Hearne's journey, in part commercial, was ordered by that company to ascertain the resources of the country, its facilities for trade, the extent of copper deposits, and the possibility of a northwest passage. Two failures, herein recorded, only urged Hearne to his final success.

The third time, starting December 7, 1770, from Fort Prince of Wales, with Chipewyans under Chief Matonabee, the party was soon in an unknown country. Living precariously on game, they were soon

reduced to distress by failing supplies, and for three days, including Christmas as is ruefully remarked, they were without any food, while dragging heavy loads and subjected to extreme cold.

Occasionally obtaining game, and savage-like alternately feasting and fasting, they reached, on April 8, 1771, a lake in 61° N., 107° W., where in ten days ample fish and meat were secured. Going due north they made at Clinton-Golden Lake their arrangements for the final journey. Leaving inactive members in camp, with a large band of northern Indians taking the war-path, they moved northwards on May 31. Meeting a party of Copper Indians at Antessy River, they there tarried for rest and game from June 22 to July 2. Reaching and crossing the Coppermine twelve days later, they followed the river northward and on the 17th of July, despite Hearne's remonstrances, massacred many peaceful Eskimo. Before returning southward, Hearne was able to roughly survey the Coppermine to its mouth on July 18, 1771. A visit to the so-called mine disclosed native copper in small quantities only.

The physical hardships of Hearne were excruciating, for he says of his festered, swollen legs and feet that the hard travel "irritated the raw parts so much that for a whole day I left the print of my feet in blood almost every step I took".

His return journey entailed a long detour, via Great Slave Lake, and the passing of a second winter of hardship and semi-starvation with his wandering band of Indians. The journeys of two thousand miles or more entailed absence for nearly nineteen months, under conditions of discomfort, hardships, and danger incident to a roaming life with intractable savages in the barren lands and adjacent regions.

By this remarkable journey Hearne added some 30,000 square miles to the known area of Hudson Bay Territory, disproved the myth of a western passage, and reached the northern ocean—the first point on the coast of North America. Of unusual value is his contribution of a wonderful fund of definite knowledge regarding the fauna and flora of the country, and especially his clear and graphic description of the northern Indians—the best original extant account of their characteristics, customs, and methods of life.

The interesting notes of Mr. J. B. Tyrrell on geography, and of Mr. E. A. Preble on biology, elucidate unobtrusively the text of Hearne.

It is surprising that so well-edited a volume should be defective in its bibliography. The author may not have considered as pertinent the voyages of Chappell and McKeavor to Hudson Bay, but for comparison the ethnographic notes are certainly valuable in the English works of Ballantyne and McLean, Hudson Bay factors, as also Delessert's *Les Indiens de la Baie d'Hudson* (Paris, 1861). Especially unfortunate is the omission of the following editions of Hearne: French, Paris, 1798; Dutch, two volumes, Hague, 1798; and German, Berlin, Voss, 1794; Renger, 1796, 1798. Such blemishes are however of slight import.

A. W. GREELY.

MINOR NOTICES

Annual Report of the American Historical Association for the Year 1909 (Washington, Government Printing Office, 1911, pp. 812). Besides records of the proceedings of the twenty-fifth annual meeting of the Association, held at New York in December, 1909, of its various conferences, and of the sixth annual meeting of the Pacific Coast Branch, this volume contains one substantive paper in ancient history, by Dr. Albert T. Olmstead, on Western Asia in the Reign of Sennacherib of Assyria, a discourse on the Teaching of Medieval Archaeology, by M. Camille Enlart of the Musée du Trocadéro, a paper on Paradoxes of Gladstone's Popularity, by Mr. Edward Porritt, an excellent presentation of the results of criticism of Bismarck's *Erinnerungen und Gedanken*, under the title Bismarck as an Historiographer, by Professor Guy S. Ford, and three special studies in Western history: by Professor Julian P. Bretz, on Some Aspects of Postal Extension in the West, by Professor Frank H. Hodder, Sidelights on the Missouri Compromise, and by Professor Edmond S. Meany, on the Towns of the Pacific Northwest, and on M. M. McCarver. The interesting papers by Professor Julius Goebel, on the Place of the German Element in American History, and of Dr. H. T. Colenbrander and Miss Ruth Putnam, on the Dutch Element, are also printed; likewise the full and informing statements of Professors George W. Prothero, Colenbrander, Enlart, and Altamira, on the organization and work of the historical societies of Great Britain, the Netherlands, France, and Spain respectively. The Public Archives Commission presents a report on the archives of the state of Illinois, by Professor Clarence W. Alvord and Mr. T. C. Pease, and another on the archives of New Mexico, by Professor J. H. Vaughan. Two novel features of the volume are the proceedings of the first annual conference of archivists, an instructive and useful exchange of experience, with especial emphasis on the lessons to be derived from the management of European archives, and Miss Grace G. Griffin's annual bibliography, *Writings on American History, 1909*. The latter has hitherto been maintained as a separate publication but from now on is to be incorporated as an element in the Annual Reports of the Association. The presence of an unusual group of representatives of European historical culture, invited to New York upon occasion of the Association's twenty-fifth anniversary, gave a distinct flavor to its proceedings, which is reflected in the volume.

The Imperial Civil Service of Rome. By H. Mattingly, M.A. [Cambridge Historical Essays, no. XVIII.] (Cambridge, University Press, 1910, pp. x, 159.) In the preparation of this study Mr. Mattingly has used all the best secondary sources and shows a reliable and thorough knowledge of the inscriptional evidence. The introduction gives a general survey of the important sources of revenue under the Empire and

the system of financial administration. This is followed by three chapters upon the civil service. The first deals with the origin, growth, and development of this service. The close relation and overlapping of the military and civil career of the equestrian class compel the writer to discuss at some length the military service of the knights as well as the civil. Chapters 2 and 3 are given over to the discussion of the provinces and the procuratorial system.

Mr. Mattingly adds little that is new to the work already done upon this field by German authorities, notably Mommsen, Hirschfeld, and von Domaszewski. Yet the book has a distinct value as an introduction to a more technical study of the subject and leads one to look for more original work from Mr. Mattingly upon Roman imperial administration. In dealing with the many controversial points which arise the author is an eclectic, choosing that view which best appeals to his judgment. Upon one point he subscribes to two distinctly opposed views. Upon page 66, note 4, he adopts Domaszewski's opinion that the "tribunus sexmenstris" is a staff officer of the cavalry upon half pay. Later (p. 71) he follows Mommsen's explanation that this officer was an ordinary tribune, for whom, by special privilege, the twelve months' service was cut to six.

In another point the eclectic method has not produced a happy result. In dealing with the origin of the *fiscus* Mr. Mattingly adopts Mommsen's conclusion (Hirschfeld *contra*) that the *fiscus* was regarded "in the strictly legal point of view" as the private property of the emperor. But he follows Hirschfeld (Mommsen *contra*) in believing that the *fiscus* was not established as a chest distinct from the *patrimonium* until the time of Claudius. The difficulties are not at all clarified by the compromise or by the author's arguments.

It is apparent that Rostowzew's *Studien zur Geschichte des Römischen Kolonates* had not yet appeared when Mr. Mattingly was working upon this study. Had it been before him he would not have made the statement (p. 35) that no substantial reforms can be attributed to Vespasian. For Rostowzew, with a fair degree of certainty, has assigned to the financial and executive ability of Vespasian the important work of systematizing the administration of the imperial domains and their revenue in Africa.

W. L. WESTERMANN.

Medieval Europe. By H. W. C. Davis, M.A. [Home University Library of Modern Knowledge, no. 13.] (New York, Henry Holt and Company; London, Williams and Norgate, 1911, pp. 254.) The series in which this book appears aims to give the educated general reader a brief survey of the whole field of modern knowledge, the historical subjects treated not occupying a particularly prominent place. The editors have been fortunate in securing Mr. Davis to deal with medieval history. In the very brief space allowed him he has given a thoughtful

and sometimes illuminating discussion of the chief movements and institutions of the period. The introductory chapter characterizes the Middle Ages as a distinct period, "a moment of equilibrium when . . . the minds of men are filled with ideas which they find completely satisfying; when the statesman, the artist, and the poet . . . express in deed and work and language the aspirations common to the whole society". If the subsequent treatment does not wholly justify this thesis something must be allowed for the brevity of the book. The best chapters are those dealing with the Church, in which justice is done to its ideals and its contributions to European civilization. The section on the towns and that on the State are not so satisfactory, and medieval commerce is quite neglected. While full of suggestion, the book shares the usual fault of all such condensed surveys in making sweeping statements that require considerable qualification.

A. C. H.

The Story of Iona. By the Reverend Edward Craig Trenholme, M.A. (Edinburgh, David Douglas, 1909, pp. xv, 173.) Mr. Trenholme's book is intended less for the historical expert than for the general reader. To the latter it may be heartily recommended as displaying a most interesting vertical section, so to speak, in the religious history of Britain. At the same time students will find in it a useful compilation of the main facts about the history of Iona and—what would perhaps be harder to find elsewhere—a careful description, accompanied by excellent maps and photographs, of its topography and of its architectural antiquities. The narrative outline is unsystematic and far from complete, the last two centuries, for example, being very scantily treated. But representative persons and episodes of different periods are discussed, and the relation of the island to the significant changes in British affairs is made clear.

In view of the author's manifest purpose it is hardly appropriate to dog his heels with detailed criticism and to take issue with the opinions he expresses on various matters of dispute. In the early chapters, particularly, he deals with many subjects concerning which he hardly appears to have expert knowledge; and sometimes, as in his account of the relations between the Gaelic and Cymric languages (p. 18), he has not correctly understood his secondary sources of information. Sometimes, as in his statement that there is no evidence for human sacrifice in ancient Ireland (p. ii), he follows good authorities but is nevertheless probably wrong. Exception might be taken to his account of the earliest inhabitants of Iona and of the Aryan migrations, of the age of Stonehenge, of the religion of the pagan Celts, or of various other matters. But on the whole he has produced a trustworthy version of the traditional history of the island, and he has told it sympathetically and effectively.

Essai sur les Origines et la Fondation du Duché de Normandie. Par Henri Prentout, Professeur d'Histoire de Normandie à l'Université de Caen. (Paris, Honoré Champion, 1911, pp. 294.) This small volume owes its publication to the millennial anniversary of the foundation of the duchy of Normandy, so appropriately celebrated at Rouen last June. Originally delivered as lectures at the University of Caen, its chapters retain something of the informality and discursiveness of the classroom, but they have been given more permanent form by the addition of notes and brief appendixes, and the whole constitutes an excellent introduction to early Norman history. A brief account of the early inhabitants and of the Roman domination which fixed the civil and ecclesiastical limits of what was to be Normandy is followed by a careful study of the vexed and relatively unimportant question of the Saxon settlements and a sketch of the little known but highly significant period of Frankish rule. Before taking up the permanent establishment of the Northmen in the duchy, the author finds it necessary to consider in some detail the trustworthiness of our chief authority for early Norman history, the account of the first four dukes written about 1015 by Dudo of St. Quentin, a work so vitiated by credulity and extravagant laudation of the ducal house that M. Prentout reduces it to the rank of a non-contemporary political pamphlet. He accordingly rejects Steenstrup's view of the Danish origin of Rollo, a view which depends essentially upon the acceptance of Dudo's statements, and follows the saga in making him of Norwegian descent. He admits, however, what is the important fact, that Rollo's followers included both Danes and Norwegians, as well as in all probability Swedes, although it would be idle to seek to determine the proportion of each. Moreover, the conquest and the establishment of the Northmen were spread over a considerable period, for the Bessin and the Cotentin were not acquired until several years after 911 and invaders and settlers from the north continued to come throughout the eleventh century. In dealing with this epoch of settlement and organization M. Prentout wisely refuses to think in rigid categories: while Normandy may have originally been a mark, it may be looked at from one point of view as a Scandinavian colony and from another as a Frankish fief, and its rulers used the titles of count, duke, prince, and margrave, interchangeably and without any precise meaning. He is cautious respecting the extent of the new element added to the population; and while emphasizing the remarkable assimilative power of the Northmen, he restricts the ultimate Scandinavian contribution to place-names and maritime terms and to the spirit of enterprise which the Normans showed throughout the Middle Ages and in the discoveries and explorations of the fifteenth and sixteenth centuries.

The book is sane and critical throughout, and in the midst of a mass of doubtful evidence and conflicting opinion the author shows the prudence of the Norman as well as the caution of the historian.

CHARLES H. HASKINS.

The King's Serjeants and Officers of State, with their Coronation Services. By J. Horace Round, M.A., LL.D. (London, James Nisbet and Company, Ltd., 1911, pp. xviii, 416.) The eight authoritative pages on serjeanty in *The History of English Law* have admittedly left something to be said on the subject, and a ready welcome is accorded to Mr. Round's latest work. Yet one soon finds that this is not a consistent treatise on serjeanty. One of its contributions is a proof that the great offices of state were not territorial serjeanties, but offices in gross. Their inclusion together with all the coronation services, whether or not strictly serjeanty, necessitated the excision of much material prepared by the author on serjeanties proper. The result is a book hard to classify. It contains much of value on serjeanty in general (pp. 1-51) and the great state offices (pp. 52-92), a deal of detail on sundry obscure serjeanties, and, throughout, an infinity of genealogical minutiae. Indeed, following closely upon his *Peccage and Pedigree*, this is regrettably another evidence that history is losing Mr. Round to genealogy. Since the book appeared too late to be used by the Court of Claims for the recent coronation, and since it is to be hopefully expected that there will not be another coronation for many years, one deplores the labor spent by so acute a researcher in antiquarian oddities and family lore; and, though warned in the preface that this is "more than a matter of 'jocular tenures' or of merely curious interest", the reader is vexed to find how often he is reminded of Scott's Baron of Bradwardine and his "servitium exuendi, seu detrahendi, caligas regis post battaliam".

Mr. Round's polemics are again prominent. The errors of many who have essayed work in this field are mercilessly exhibited and the devoted editor of the *Red Book* is pursued with a rancor which subserves no scholarly end. Indeed, eagerness to overthrow standard authority occasionally blinds the author to the weakness of his new contentions—for example, his argument (pp. 38-40), in opposition to Maitland, against the early impartibility of lands held in serjeanty. In the passages cited, the principle was manifestly present, and it proves nothing to show instances in which it was not wholly observed. And to adduce finally cases from the fourteenth and fifteenth centuries is beside the point; *The History of English Law* speaks of early impartibility. It is surprising to find (p. 36) that the distinction between greater and lesser barons may have originated in Magna Carta. The suggestion is obviously to support the argument that the cleavage between grand and petty serjeanty indicated by Article 37 of the Charter was novel. It is also a strange implication that because this latter distinction was rough it was therefore recent. The parallel and immediately preceding clause touching the socage tenures is unmentioned by Mr. Round who would prove that any assimilation of petty serjeanty to socage was late. The English birth or pre-Conquest domicile of the Domesday *taini* seems insufficiently argued (p. 13). Some foreign names appear among the *taini* of at least ten counties, and borne by men who did not hold the land under King Edward.

ALBERT BEEBE WHITE.

Fratris Rogeri Bacon Compendium Studii Theologiae. Edidit H. Rashdall, una cum appendice de Operibus Rogeri Bacon, edita per A. G. Little. [British Society of Franciscan Studies, vol. III.] (Aberdeen, "Typis Academicis", 1911, pp. vi, 118.) The valuable series of publications issued under the auspices of the British Society of Franciscan Studies has received an important addition in the present volume. The treatise here printed is found in Royal MS. 7 F. VII. in the British Museum, a folio vellum manuscript, written at the end of the thirteenth century. It is a fragment of an uncompleted work of which other fragments survive. From the work itself it is clear that it was written in A. D. 1292. The treatise is divided into two parts, the first of which deals with the causes of human error, the second with the establishment of truth and the refutation of error. Perhaps its chief interest and importance lies in the fact that very little of the substance of this *opusculum* is to be found in Bacon's hitherto published writings; and that unlike these, it is almost entirely occupied with the discussion of points of scholastic logic and metaphysics, rather than with contributions to natural science or with general reflections on the existing state of knowledge and the methods of pursuing it.

The editor, Dr. Hastings Rashdall of New College, Oxford, who is well known for his history of the *Universities of Europe in the Middle Ages*, has endeavored, as far as possible, to give references to the places in Aristotle and other authors quoted by Bacon—a task of no small difficulty. He has also illustrated the text of Bacon's treatise by useful notes and has prefaced it by a well-considered and informing introduction which sets the work in its proper perspective, literary and historical.

The value of the present volume is greatly enhanced by the appendix, which contains a list of Roger Bacon's works by Professor A. C. Little. This bibliography is based on the one given in Little's *Grey Friars in Oxford*, but has been brought up to date by the light of more recent researches and is a distinct asset. Taken as a whole, the volume before us is a most welcome and worthy contribution to the study of the writings of the great English Franciscans.

Die Ausgaben der Apostolischen Kammer unter Johann XXII., nebst den Jahresbilanzen von 1316–1375. Mit darstellender Einleitung herausgegeben von K. H. Schäfer. [Vatikanische Quellen zur Geschichte der Päpstlichen Hof- und Finanzverwaltung, 1316–1378, in Verbindung mit ihrem Historischen Institut in Rom herausgegeben von der Görres-Gesellschaft, II. Band.] (Paderborn, Ferdinand Schöningh, 1911, pp. xi, 151, 911.) As the work of publishing the financial registers of the Avignonese papacy undertaken by the Görres-Gesellschaft progresses, its value becomes more and more apparent. Despite the appearance in the last quarter of a century of numerous monographs and papers based mainly on researches in these records, only a slight portion of the material which these contain has been utilized. The present volume is a

vast storehouse of material on a wide variety of subjects. The documents consist of those portions of the registers which give a summary view of the annual income and expenditure of the papal treasury during the period from 1316 to 1375 and the detailed accounts of the expenditures during the pontificate of John XXII. They throw light not only on the organization of the household and administrative system of the papacy, its political and diplomatic relations, and other phases of its many-sided activities, but also on prices, wages, banking, art, architecture, libraries, military history, and numerous aspects of the intellectual, economic, and social life of the period. The work of editing seems to be well done. There is a full index of proper names and a valuable special index of offices and officials of the papal household.

Mr. Schäfer limits his introduction mainly to a narrow but most useful field. After explaining briefly the nature of the documents and his editorial methods, he gives a tabular view of the annual income and expenditure of the papal treasury during the period of the residence at Avignon and the annual itemized expenditure during the pontificate of John XXII. calculated uniformly in the terms of the Florentine gold florin. It is to be hoped that this will set at rest the controversy about the avarice of the popes of this period. The second and principal contribution is an extensive study of the comparative values of the coins most commonly current in western Europe from the latter part of the thirteenth century to the early part of the fifteenth. A brief discussion of the value of different coins in relation to the precious metals is followed by a long series of tables displaying the actual exchange value of numerous coins. The date of the exchange and the source of information are given in every instance. The study is completed by an appendix of documents relating to exchange drawn from the Vatican Archives and a set of summary tables which display the value of the Florentine gold florin in terms of other coinages at various dates from 1252 to 1375. No set of medieval financial documents offers such excellent opportunities for comparison as this of the papal treasury which received money from every part of the Roman Catholic world. Judging by the several items which the reviewer was able to test, the author has made good use of this opportunity, and has performed the laborious task thoroughly and carefully. From those who have wandered in the nearly trackless wilderness of medieval financial accounts this part of the work can scarcely fail to receive high appreciation.

W. E. LUNT.

The First English Life of King Henry the Fifth, written in 1513 by an anonymous author known commonly as the Translator of Livius. Edited by Charles Lethbridge Kingsford, M.A., St. John's College. (Oxford, Clarendon Press, 1911, pp. lvi, 212.) Mr. Kingsford has made a valuable and interesting contribution to the original literature of English history by editing this first English life of Henry V. from a

manuscript (Bodley MS. 966) to which his attention was drawn by Bodley's scholarly librarian, Mr. F. Madan. In addition to the printed text of the *Life*, with copious annotations, the present volume contains a portrait of Henry V., a valuable critical introduction of fifty-six pages, a table of variations from the Bodleian manuscript found in a later copy of the *Life* in the British Museum (Harley MS. 35), a glossary of Old English words, and an excellent index. The editing has been done with Mr. Kingsford's usual skill and thoroughness and the work has distinct claims to literary, as well as to historical, recognition.

The *Life* itself is a compilation rather than an original production in that it is in large part a translation of the already well-known Latin work, *Titi Livii Foro-Julienſis Vita Henrici Quinti regis Angliæ*, written soon after 1437 by an Italian-English scholar, with considerable additions in the form of translations from the chronicle of Enguerrand de Monstrelet and from Caxton's *Polichronicon*, and excerpts from a life of Henry V., now lost, written about the middle of the fifteenth century by someone in the service of James Butler, fourth earl of Ormonde. The compiler of the present *Life* seems to have flourished at the beginning of Henry VIII.'s reign and to have written his work for the instruction and delectation of the young king, then engaged in a war with the French. As an example of early sixteenth-century prose, and as reflecting the attitude of Tudor England toward the Lancastrian royal house and its exploits, the *Life* has especial interest. It was well known to such prominent later sixteenth-century historical writers as Stow and Holinshed, but was lost sight of in the seventeenth and eighteenth centuries, and its very existence doubted in the nineteenth century.

The positive contributions to knowledge made by this *Life* are contained in certain passages drawn from the Ormonde life of Henry V. "since", as Mr. Kingsford says, "they alone contain matter which is not preserved elsewhere". These new facts throw fresh light on the character of Henry V. and are well discussed in the scholarly introduction.

N. M. TRENHOLME.

Six Town Chronicles of England. Edited from Manuscripts in the Bodleian Library, the Library of St. John's College, Oxford, the Library of Trinity College, Dublin, and the Library of the Marquis of Bath at Longleat. Now printed for the first time with an introduction and notes by Ralph Flenley, M.A., B.Litt. (Oxford, Clarendon Press, 1911. pp. 208.) The title of Mr. Flenley's book is no real indication of what it contains. The printing of six interesting, but comparatively unimportant, little town chronicles, five relating to the city of London and one to the borough of Lynn, has been made the occasion for a discussion of the whole question of English town chronicles, forming section one of the Introduction, and of special descriptions and discussions of extant manuscripts, together with a useful list of all the chronicles of London that

are known to exist. These two sections, with the bibliography referred to, take up one-half of the volume and make valuable and interesting reading for the student of English municipal history. Nowhere else, so far as the reviewer is aware, can be found so clear and detailed an account of the efforts to write history made by citizens of London and of a few of the other large towns. The first group dealt with is that of the early and generally anonymous writers of thirteenth- and fourteenth-century chronicles of London. They wrote in Latin and their works, as far as they are known, have been published by the Camden Society and in the Rolls Series. Next come the fifteenth-century chronicles and chroniclers relating London affairs and the history of the time from a London standpoint. Of these there are twenty manuscripts known to exist and, with Mr. Flenley's volume, all but two of these have been published. The third division of part one has a valuable account of chronicles of English towns other than London, while the concluding division discusses the sixteenth-century writers of London chronicles, from Fabyan to Stow, and the end of the chronicles of the metropolis with the expansion of historical writing.

The second part of the Introduction, dealing with the chronicles contained or described in this volume, consists of a series of brief critical introductions to the various manuscripts examined by Mr. Flenley. It would appear that of the chronicles printed in the last part of the volume, that of the London merchant Robert Bale was the most important by far. It is in English and covers the years 1437-1460 from the London standpoint. Like practically all surviving chronicles of London it seems to be based on an earlier work, probably in Latin, which has disappeared. Bale's Chronicle was evidently written in Edward IV.'s reign but practically nothing is known of the author save his name. The manuscript itself had an interesting history which Mr. Flenley brings out. The other chronicles are of minor importance with the exception of the Lynn Chronicle (MS. Western 30,745) which furnishes an early and unique example of an extra-London town chronicle. Mr. Flenley has performed his editorial work in a careful and scholarly manner and we hope we will have more such work from him. There is also an adequate index to the volume and the press-work is excellent.

N. M. TRENHOLME.

The Life and Letters of Martin Luther. By Preserved Smith, Ph.D. (Boston and New York, Houghton Mifflin Company, 1911, pp. xvi, 490.) This admirable biography by the son of the well-known Old Testament scholar, Henry Preserved Smith, is to be commended for both its fairness and its accuracy. Its author has studied his subject faithfully and has drawn upon the best and most important sources for a knowledge of the Reformer's career. It is a commentary upon the zeal with which the libraries of Europe have long been ransacked for Luther documents that he is unable, though he has made diligent search, to supply any

important material not already known. But he has utilized the most recent literature upon the subject and his work is fully up to date and well meets the demands of modern historical scholarship. So many-sided a man as Luther may be approached from various angles and every serious and honest study of him is to be heartily welcomed. Too little is known of the great German on this side the sea and anything that helps to make him better understood among us is well worth while.

The story of his career is told in this book in a very matter-of-fact tone, and though the author is a sympathetic admirer there is little of the glow which might be expected to accompany the recording of such a life. If this be a defect, at any rate the consequence is a straightforward biography which carries conviction by its very moderation. The author has undertaken to present the Reformer rather as a great character than as a great theologian and the result is a book which should be of interest to others besides theological scholars. The large quotations from Luther's letters, a body of correspondence almost unequalled in extent and in genuine human interest, are of great value and aid in making the portrait vivid and lifelike. Diligent use too has been made of the Table Talk, that interesting but confused and often incoherent mass of material, upon which Dr. Smith published an excellent doctor's thesis some years ago.

The bibliography at the end of the volume will prove of undoubted value to students. The whole book indeed is capitally adapted to their needs, while many of the quotations from Luther himself and the entertaining way in which some of the scenes of his life are recounted, as for instance, the interview with the papal legate Vergerio, where the dialogue form is employed, make it the reverse of dull and heavy. The effort to write an interesting biography which may appeal to the general public, and at the same time to meet the wants of professional scholars has resulted, to be sure, in some unevenness and lack of unity; at times the narrative halts unduly. But taken as a whole the book is both instructive and readable, and constitutes an uncommonly substantial and worthy addition to the enormous mass of Luther literature.

A. C. MCGIFFERT.

Inventaire des Archives Farnésiennes de Naples au Point de Vue de l'Histoire des Pays-Bas Catholiques. Publié par Alfred Cauchie, Professeur à l'Université de Louvain, et Léon Van der Essen, Chargé de Cours à l'Université de Louvain. (Brussels, Kiessling et Cie, 1911, pp. ccxxvi, 557.) This admirable work, the product of so many years of research by such well-known historical scholars, needs only to be mentioned to be appreciated by historians interested in the subject. The introduction (pp. vi-liv) gives a history of the archives, of which even the minute documentation does not destroy the romance. Pages lxx to ccx discuss the value of the archives from various points of view, avoiding all dogmatic assertion and furnishing the fullest illustrations

from which the investigator can make his own judgments. The introduction also discusses the organization of the archives, their diplomatic character, their completeness, their utilization by historians, and the methods of the authors. It is somewhat unfortunate that much of the introduction was evidently written before the completion of the work and was not thoroughly revised (compare p. lxvii, p. ccxxv, and pp. 411-428).

The inventory itself (pp. 1-474) lists 2,068 numbers, many of which consist of many letters or other pieces. The number of individual documents is not even estimated, though it would seem that something could have been done in this direction. The inventory proper is divided into three sections, documents not autograph, autograph, and parchment. It is well and sensibly done. Some documents are carefully described, some mentioned, and the majority grouped, but the diplomatic character of all, as originals, minutes, copies, ciphers, etc., is indicated. The fourth section, Addenda, is the result of the fact that only on second thoughts did it seem necessary to the authors to examine thoroughly the collections listed under such titles as "Londra", "Francia", for incidental material. With this addition it may be presumed that all material relating to the Catholic Low Countries is listed. Pages 475 to 530 constitute an index seemingly complete, and more analytical than is usually the case with European publications. Pages 531 to 533 contain additions and corrections, and a table of contents follows.

CARL RUSSELL FISH.

Anglo-Dutch Rivalry during the First Half of the Seventeenth Century. Being the Ford Lectures delivered at Oxford in 1910 by the Rev. George Edmundson, M.A., F.R.G.S., F.R.Hist.S. (Oxford, Clarendon Press, 1911, pp. 176.) This subject is one which has long deserved treatment from the English side. Mr. Edmundson has done his task thoroughly, conscientiously, and with the use of all the available material. He is quite at home in this field of history and well qualified for the task he has undertaken. The book is scholarly and useful, and all its conclusions are sustained by the evidence. It is plain after reading these lectures that war between England and the Netherlands was certain in the seventeenth century as a consequence of their conflicting commercial interests and the differing pretensions of the two peoples to the use of the fisheries in the so-called British Seas.

The writer is annoyingly inaccurate in small matters. On page 48 he tells us that the Merchant Adventurers were driven from the Netherlands by Alva in 1568, while on page 167 he says that they left Antwerp in 1564, and on page 70 that they were driven from Antwerp in 1582. Again he asserts on page 147 that they were banished from Germany in 1577, while on page 49 this event is placed in 1597. How does he reconcile these dates? On page 63 he misdates the battle of the White Hill. On page 125 he gives Sommelsdijk's letter of February 10, 1640,

as being of February 8, 1646, and his letter of January 26, 1640 as being of February 10. On page 117 "jus electorale alternetur" must certainly mean "the electoral right should alternate", and not "the electoral law should be altered". There are a number of other slight errors of a similar character. These things seem to show undue haste or carelessness.

RALPH C. H. CATTERALL.

In Defence of the Regalia, 1651-2, being Selections from the Family Papers of the Ogilvies of Barras. Edited by Rev. Douglas Gordon Barron, M.A., F.S.A.Scot. (London and New York, Longmans, Green, and Company, 1910, pp. xvi, 371.) On the first day of January, 1651, the regalia of Scotland, the crown, sceptre, sword and belt of state, were last used in the coronation of Charles II. at Scone. Before setting out on the invasion of England in July, these valuable possessions were dispatched to one of the strongest fortresses in Scotland, Dunnottar Castle, near Stonehaven on the coast south of Aberdeen, together with the king's private papers, his household effects, the General Assembly records, the principal muniments of the Hamiltons, the charters of St. Andrews University, and other valuables; the whole entrusted to the Earl Marischal who chose his friend, George Ogilvy, as his lieutenant and gave him command of the castle. Thereafter Worcester was fought and lost, the Earl Marischal captured, and Dunnottar invested by General Overton's forces in November. Appeals to the fugitive king on the Continent evoking no relief, the Earl Marischal going over to the English side, the belated efforts of Charles to save the place bringing no substantial results, after eight months' brave defense, the arrival of heavy artillery compelled Ogilvy to surrender the castle and the thirty-five men who remained of his original garrison of less than seventy. But the Parliamentarians never found the regalia. These had been smuggled out during the siege and concealed in Kinneff church where they remained until the Restoration. With the king's return all parties to the matter sought their rewards, and one of the most romantic events of the Civil Wars became the basis of an almost incredibly acrimonious and long-lived dispute, chiefly between the houses of Marischal and Ogilvy. Fifty years after the event it was still bitterly contested before the Privy Council. In 1829 the Bannatyne Club published its *Papers relative to the Regalia of Scotland*; as late as 1896 the Scottish Historical Society printed *Papers relating to the Preservation of the Honours of Scotland*, from the muniments of Lord Kintore; in 1906 a novel, *The Safety of the Honours*, appeared, based on information derived chiefly from documents relating to the Marischal family; in 1907 the *Scottish Historical Review* printed the "Information for the Earl of Kintore against Sir William Ogilvie of Barras and David Ogilvie his Son", prepared for the action of 1702; and now comes this large and handsome volume of selections from the family papers of the Ogilvies of Barras, presenting their side

of the case fully and with unusual impartiality. Edited with eighty pages of interesting and scholarly introduction; notes on the long list of documents adduced; a genealogy of the Ogilvies of Barras; beautifully printed and illustrated, it not merely adds much to the discussion of this long vexed question, it reveals controversial antiquarianism at its best, and while it may not settle all the minute points in the dispute, it adds as much to the illumination as to the spirit of the controversy.

W. C. A.

The End of the Irish Parliament. By Joseph R. Fisher. (London, Edward Arnold; New York, Longmans, Green, and Company, 1911, pp. xii, 316.) This work presents a detailed picture of Irish parliamentary politics from Townshend's viceroyalty (1767) to the Union. Local and industrial conditions do not appear save in brief generalizations, or in a few quotations from contemporary observers. In addition to the documents in the Record Office and to the volumes of the Historical Manuscripts Commission, Mr. Fisher is indebted to the unpublished papers of George, earl Macartney, secretary to Lord Townshend, for valuable and secret letters of the period. Also he has examined secondary authorities "by hundreds", and yet the result has been hardly more than corroborative of sources previously used. Indeed the effort has been simply to "detach and bring into relief the events connected with the 'decline and fall' of the Irish Parliament". There is possibly room for doubt as to the extent and accuracy of the author's work, for, save in occasional instances, he has given few exact citations, writing, "A long series of footnotes is of no assistance to the general reader, and the critical student will have no difficulty in referring to the volumes of correspondence and the other authorities on which my statements are based" (pp. vii-viii). This last assertion is hardly true, for most of the few references given are inadequate. Thus the author quotes Townshend to "one of the Secretaries of State" (p. 32) and gives as his reference "Letter in Record Office dated March 18, 1772". The possible difficulties in verifying such a reference are obvious. Nevertheless, the book will be distinctly serviceable, for its clear presentation of the consecutive incidents and manœuvres of the political game in Ireland, and of the difficulties that led to the Act of Union. Mr. Fisher's presentation emphasizes, even more than earlier historians had done, the wholly impossible relation between the British crown and the Undertakers of the Irish Parliament. It is shown that the Irish Parliament never in any sense represented the Irish people, but rather regarded the great body of the people as public enemies to be held in subjection. A parliamentary oligarchy ruled Ireland in its own interest, dependent on England in times of danger, but otherwise contending for the spoils of office without interference from England. The sessions of the Irish Parliament differed little from the sittings of a corrupt city council. The author defines Irish patriotism as "the right to divide the spoils".

"Many eminently respectable families were interested in . . . thefts and embezzlements" (p. 53). Under Townshend, this so-called patronage was wrested from the Irish Undertakers and vested in the crown. "Improbability and the misappropriation of public funds had for generations been raised to the level of a fine art" (p. 265). British viceroys were forced to continue the system, and since "every majority in the Irish Parliament for a century past had been bought" (p. 296) there was no other method open to Pitt in securing Ireland's consent to the Union. The book is well written, the citations are selected with discrimination, and the story is always interesting.

E. D. ADAMS.

British Statesmen of the Great War, 1793-1814. The Ford Lectures for 1911. By J. W. Fortescue. (Oxford, Clarendon Press, 1911, pp. 279.) Mr. Fortescue's book embraces the seven lectures delivered at Oxford as the Ford Lectures of 1911. The author has hitherto devoted himself chiefly to military history, but the present work shows him a man of broad historical reading and keen intellect, independent in viewpoint, defiant of more recent historians, and distinctly royalist in his sympathies. The volume is really a chronological survey of England's rôle in the Great War, with minute examination of the services of British statesmen, all of whom are measured by new standards. The leaders of government in most instances suffer from severe, even aggressive criticism, while for minor statesmen clever excuses and palliatives are found to cover all possible shortcomings. Upon most points the author exultantly takes issue with the best-known modern writers. Lord Rosebery's work is flouted at every point, his statements as to the relative efficiency of the army and navy (under Pitt) are a "travesty of truth", his theories "sheer absurdity". Pitt "throughout his administration, studiously neglected the Army and Navy"; his undertaking to send troops to Holland improperly generalised and with indefinite instructions is characterized as a blunder and the writer adds "in these days a minister who gives such instructions should be driven into ignominy and private life". Here Pitt was unduly sanguine but he was more often at fault for his "inveterate prudence". Undoubtedly the halo that has hitherto surrounded Pitt is considerably diminished and he becomes the rather commonplace minister, industrious, honest, and courageous. Asserting his belief in the superior ability, consistency, and foresight of the statesmen who had the misfortune to carry their anti-democratic principles beyond the epoch of war, the writer avowedly proposes to do tardy justice to the three ministers customarily represented as barriers to progress. The honors of achievement and patriotism are accorded to Perceval, Liverpool, and Castlereagh, whose unshakeable firmness against tremendous odds inspires the author's profound admiration.

Conclusions, throughout, which seem more the result of biased reasoning than of unbiased research, characterize the volume. For example we

read "We know how the Americans—represented by their government—have always dealt with us since they have become an independent state. They must prevail and never give way; they must always take and never concede; they enjoy the flouting of an older community as a proof of their superiority; and they esteem a good bargain, even if gained by dishonorable means, to mark the highest form of ability. The United States cannot engage in any form of competition with us, from athletics to diplomacy, without using foul play. They must win, if not by fair skill, then by prearranged trickery or violence; if not by open negotiation, then by garbled maps and forged documents. There is the fact. It may be unpleasant but it cannot be denied." It is surely a misnomer to call this history and to present it as such to English university students. The writer is fluent and original, pugnacious in his prejudices, a champion of the misinterpreted, bitterly jealous in his brilliant but often unfounded generalizations, and, fortunately, rarely convincing.

E. D. ADAMS.

Napoleon I.: a Biography. By August Fournier, Professor of History at the University of Vienna. In two volumes. Translated by Annie Elizabeth Adams, with an introduction by H. A. L. Fisher, M.A. (New York, Henry Holt and Company, 1911, pp. xx, 564; x, 565.) This is the second translation of Fournier's *Napoleon*. The first, completed eight years ago under the editorship of the late Professor E. G. Bourne, and noticed in volume X., pages 412 ff. of the REVIEW, reproduced the original (1885) edition, with such revisions as had appeared in Jaeglé's French translation. The present version reproduces the revised edition of 1904-1906. The introduction by H. A. L. Fisher is a perfunctory statement in two paragraphs, without a word upon the editorial principles followed by the present translator. The ten years which elapsed between the publication of the two editions were especially fruitful in important Napoleonic investigations, and it was to embody the results of this work, in which he had had a large share, that Professor Fournier decided to give his volumes careful revision. In many passages the revision has amounted to virtual rewriting. The subject-matter has been increased about one-ninth. The increase is fairly well distributed, but is especially noticeable in the chapters on Napoleon's early career, the problems of which have been investigated with such success by Masson, Biagi, and Chuquet. The chapter on the coup d'état of Brumaire also contains much new material, drawn mainly from the studies by Aulard and Vandal. To cite another case, the history of the negotiations at Chatillon is given fuller treatment in the light of the author's recent work on that subject. The changes made are all of detail and do not affect the conception of Napoleon's character or the interpretation of his career given in the first edition. The bibliographies are particularly valuable because they contain notes and discussions upon many of the books mentioned. In the

appendixes are printed the originals of a large number of letters, some of them hitherto unpublished, which Napoleon wrote to Talleyrand, Champagny, and Maret, and which Professor Fournier found in the archives at Vienna. The work of the translator has been well done, with some notable exceptions. Without offering any explanation she has abbreviated or omitted many of Fournier's notes. It is impossible to discover the guiding principle of these reductions, which mar a work of this character. The translator has even taken liberties with the text in passages which concern Napoleon's relations with women. She has supplemented, while modifying its real meaning, the description of Josephine's conduct from the time of her marriage to Brumaire, inserting pointless comparisons with the character and temperament of Catherine II. and Mary Stuart. If these alterations were made with the author's consent, the fact should have been stated.

B.

Letters and Papers of Charles, Lord Barham, Admiral of the Red Squadron, 1758-1813. Edited by Sir John Knox Laughton, M.A., D.Litt. Volume III. [Publications of the Navy Records Society, vol. XXXIX.] (Printed for the Navy Records Society, 1911, pp. xl, 413.) All of the papers in this volume except a few private letters and memoranda belong to the period (1805-1806) when Lord Barham was First Lord of the Admiralty. A more brilliant period than his brief time of administration it would be hard to find. Sir Robert Calder's action off Finisterre, Nelson's great victory at Trafalgar, Sir Richard Strahan's signal success, and Sir John Duckworth's brilliant action near Saint Domingo all give it lustre. As the editor, Sir John Knox Laughton, points out in his excellent introduction, the papers are divided into several categories. First, there is the correspondence with Lord Keith, commander-in-chief in the Narrow and North seas, especially charged with watching the French coast from which Napoleon was threatening invasion. Some of these letters have to do with the schemes of Robert Fulton, who had interested the British government in his projects for sea-mines, torpedoes, and submarines, much to the disgust of Barham and Keith. The second division is made up of the correspondence with the commander-in-chief at Cork, whose main duty was to guard the approaches to the Channel. The third contains the letters interchanged with Gardner or Cornwallis in command off Brest. Among them is the celebrated order sent to Cornwallis to place Sir Robert Calder off Cape Finisterre, resulting in the check given the French fleet which proved most disastrous. In the fourth division is the correspondence with Orde, Nelson, or Collingwood off Cadiz. Rather strangely these papers furnish no information on the battle of Trafalgar, except the plan of battle. This plan, together with other first-hand testimony, has, in the editor's opinion, quite upset the long-received account of the English

advance and attack. One remarkable fact brought out by this volume of papers is that the Admiralty was more concerned about the danger to British trade from the French naval activity than it was about the danger of invasion by Napoleon. Though the period was popularly known as the time of "The Terror", and though historians have so pictured it, the men really responsible for the coast defense were not worried. As Lord St. Vincent put it, "I don't say the French can't come; I say they can't come by sea".

C. H. VAN TYNE.

L'Acte Additionnel aux Constitutions de l'Empire du 22 Avril 1815. Par Léon Radiguet. (Caen, L. Jouan; Paris, Marchal et Godde, 1911, pp. xiii, 528.) The points most worthy of study in relation to the *Acte Additionnel*, according to M. Radiguet, are five in number: (1) why Napoleon in 1815 agreed that France should have a constitution which seemed to be permeated with the principles of liberalism; (2) how the Acte was drafted; (3) its principles; (4) how it was received by public opinion; (5) what tendencies were exhibited in its application. The volume is an elaborate and painstaking monograph upon the first four of these points, the fifth being reserved for a future study. Appendixes present texts of the Acte at three different stages in its elaboration, a contemporaneous fusing of the Acte and of the imperial constitutions which it supplemented into a single document, and lists of the votes at the plebiscite of adoption. There is also a preface by Frédéric Masson. The monograph is thoroughly documented in the best French style. It rests upon a large amount of investigation, especially of newspapers, pamphlets, suggestions for a constitution submitted to Napoleon, and reports of the police and the prefects. The most serious omission is that of works upon English history and contemporaneous English affairs. The Acte was formed under the influence of men whose ideal was the English constitution. Consequently, M. Radiguet has much to say about English matters. Yet there is no indication that he has read a single book in English. His ideas of English affairs seem to be drawn exclusively from the constitutional studies of Boutmy and Esmein and their terse generalizations are frequently made the basis of exaggerated inferences. Although *mémoires* are not used extensively, some important points show too implicit a reliance upon them.

M. Radiguet describes his work as an historical and juridical study. The two are not kept perfectly distinct, but three of the four parts are primarily historical. These three, in the opinion of the reviewer, give the monograph its value. The juridical part consists of little more than a statement for many points involved in the Acte of the corresponding arrangement in the constitutions of 1799, 1802, 1804, and 1814, along with the personal dictum of the author as to the wisdom of the scheme. His point of view is that of a discriminating admirer of the Napoleonic

institutions of 1799-1804 and of an adverse critic of the Revolution and of the parliamentary régime.

Upon some points the study will lead to new views, but in general the results are valuable chiefly as confirmation of prevailing views.

FRANK MALOY ANDERSON.

Bismarck and German Unity. By Munroe Smith, Professor of Roman Law and Comparative Jurisprudence in Columbia University. (New York, Columbia University Press, 1910, pp. x, 132. Second edition, revised and enlarged.) This epitome, first printed in the *New York Evening Post* and *Nation* when Bismarck died in 1898, was then issued in book form. Its qualities are well known. It is clear, concise, and remarkably accurate: for accuracy is hard to attain where generalizations cannot be qualified. In this second edition, the bibliographical summary has been brought up to date, and a short essay on Bismarck as a Phrase-Maker has been added. We do not note many changes in the author's point of view: The colossal, if not heroic, Bismarck remains: but the outline would have been even more lifelike if the reasonableness of some of the opposition to him had been hinted at. So a line of comment on the result of the *Kulturkampf* and other episodes would be well. We dissent from the statement that Bismarck's policy after 1870 was always fought out within the lines of the constitution, and ended in compromises which preserved at once the interests of the state and the liberties of the citizen (p. 61). The explanation of the rise of the Social Democrats seems also inadequate (p. 66). Pius IX. died February 7 (not January), 1878 (p. 64). Sometimes the edge of Bismarck's sarcasm is blunted in translation: but when all is said, this is the best brief routine account of Bismarck in English.

B. G. Teubner, 1811-1911: Geschichte der Firma in deren Auftrag. Herausgegeben von Friedrich Schulze. (Leipzig, 1911, pp. vi, 520.) This book, in giving us the history of the important publishing firm of Teubner in Leipzig, furnishes a running commentary on the intellectual and business development of Germany since 1811. The founder, the son of a Protestant clergyman, was compelled by poverty to begin his career as a typesetter. He soon bought a printing office which he made into one of the largest in Germany. In the early twenties, the ambitious printer began—with the aid of excellent scholars like the Dindorfs—to go into the publishing of Latin and Greek texts for school use. About 1850 he expanded this into the now famous *Bibliotheca Scriptorum Graecorum et Romanorum Teubneriana*. Both series reflect the neo-humanistic movement set in motion by Winckelmann, Goethe, Wolf, Wilhelm von Humboldt, and others, as well as the high standards of textual criticism introduced by Lachmann, Haupt, and their associates. To Teubner, prevented as he had been from satisfying the intellectual ideals traditional in his family, this remained his favorite enterprise. He was, however, too

keen a business man not to respond to the "modern" spirit which was beginning to assert itself. The "Young Germans"—of whom Heine is the exponent best known in foreign countries—were, since 1830, insisting—in opposition to the "Romantic School"—that literature must be in close contact with life. Hence Teubner now published many works on modern history, theological criticism, and kindred subjects; also translations from the French, etc., always insisting, however, on issuing only works of dignity and importance.

The ideal of excellence and notably that of enterprise has been carried on since Teubner's death in 1856. Some of the most valuable works on classical philology (like Wölfflin's *Thesaurus*), have continued to appear; in addition there have been issued a great number of works on pure and applied science, and, perhaps more remarkable still, a series of colored lithographs done by leading artists and reflecting the rise of German pictorial art during the last two decades. We learn also of the enormous growth of the plant in all its branches. About two and one-half million volumes are issued every year, not counting the newspapers and periodicals.

The book before us, well written, enriched by many facsimiles and portraits, and excellently printed, further bears witness to Germany's increasing appreciation of aesthetic values.

C. VON KLENZE.

History of Money in the British Empire and the United States. By Agnes F. Dodd. (London and New York, Longmans, Green, and Company, 1911, pp. xiv, 356.) This book is divided into two parts: the first, comprising about two-thirds, treats the history of money and banking in the British Empire, and the second treats the history of money and banking in the United States. The treatment of the British Empire outside of the United Kingdom is very brief, covering less than 25 pages.

For the general reader the book possesses value; it describes the chief events in the monetary and banking history of the two countries, and is based for the most part upon a comparatively few reputable secondary authorities. For the historian, however, and the economist the book is negligible. It is in no sense a contribution to the history or science of money and banking. Citations of authorities are infrequent, and, when made, usually merely mention the name of the author without any page reference.

Miss Dodd apparently does not possess a thorough working knowledge of the fundamentals of monetary science, for there are frequent slips in the statement and in the application of elementary principles. For example we read (p. xiii), "Increased rapidity of circulation has the same effect as an increase in the supply of money, and tends to lower prices, because it increases the amount of work that a given quantity of money can perform." Obviously this would raise prices, not lower them. Several times the statement is made that variations of the market ratio

between gold and silver in a bimetallic country result in the withdrawal of the relatively cheaper metal (pp. 60, 131), instead of the relatively dearer one as is actually the case under Gresham's Law.

The book contains many errors of fact among which the following are typical: "After 1751 there was a stable paper currency throughout the New England States" (p. 236). In the chapter entitled Finance during the American War of Independence Miss Dodd says: "In 1783, Morris . . . resigned, and his place was taken by Alexander Hamilton" (p. 251). "In 1857 . . . [the depreciated foreign coins] were declared by law to be no longer legal tender; they were received at Government offices at one-fifth of their nominal value" (p. 264). Referring to the Sherman Purchase Act of 1890 the author says: "The amount of silver to be purchased monthly by the Treasury was now definitely fixed at 2,000,000 ounces of bullion, or silver to the value of \$4,500,000; and to enable these purchases to be made the Government was given unrestricted authority to issue treasury notes" (p. 323). What the act of 1890 did was to require the purchase monthly of 4,500,000 ounces of silver, subject to the restriction that only so much should be purchased as should be offered at market prices not exceeding one dollar for 371¼ grains of pure silver (the content of a silver dollar).

E. W. KEMMERER.

Transactions and Collections of the American Antiquarian Society. Volumes XI. and XII. (Worcester, the Society, 1909, 1911, pp. 267; xvi, 268.) Volume XI. furnishes guidance, mainly by way of calendar, to the manuscript records of the French and Indian War in the library of the society. It is prepared by Dr. Charles H. Lincoln, who presents, first, a calendar of the manuscripts of Sir William Johnson possessed by the society, a calendar of the manuscripts of Colonel John Bradstreet, some full texts from each of these groups, a calendar of the society's other French and Indian War materials and the full text of the orderly-book of Lieutenant William Henshaw, describing camp life under Amherst on the march to Fort Edward and at that fort, from May to November, 1759. As the preface justly says, accounts of such collections are indispensable to any full knowledge of the history of the war. Dr. Lincoln has done his work exceedingly well, and has furnished an excellent index.

The other volume, entitled *British Royal Proclamations relating to America, 1603-1783*, edited by Mr. Clarence S. Brigham, librarian of the society, is the result of an exceedingly laudable effort of the society to fill a noticeable gap in the published records of American colonial history. In spite of the importance of royal proclamations and the frequent references to them in colonial history, their actual texts have been exceedingly difficult to consult. Of the 101 printed in this volume, the greater number have indeed been already printed in the *London Gazette*; but as there seems to be in the whole United States but one file

of that journal, the student has almost as little chance to consult them there as in the original form. Mr. Brigham, whose search has been most painstaking and intelligent, prints usually from the printed broadsides, found in one or another British or American repository, and indicates the various places where these rare originals may be found. Appropriate and excellent notes are supplied. The texts themselves are interesting and on certain matters—chiefly tobacco before the Restoration and the regulation of trade and navigation after it—they shed a large amount of light, and help to a fuller understanding of British colonial policy. Among the less important proclamations are a dozen proclaiming fast-days during the war for American independence, and several regulating the distribution of prize money in that and previous wars.

Publications of the American Jewish Historical Society, number 20. (New York, the Society, 1911, pp. xix, 209.) The American Jewish Historical Society sustains well in this volume the quality maintained in its predecessors. The most interesting paper, and at the same time the one marked by the greatest learning, is that of the Reverend Dr. David de Sola Pool on Hebrew Learning among the Puritans of New England prior to 1700, in which some bubbles of reputation are pricked yet deserved honor is conceded to the learning of the Massachusetts ministers of the first generation. Another paper of much interest is that of Dr. Alexander Marx on the history of various European societies for promoting the study of Jewish history, a suggestive and stimulating record. The Jews of Virginia from the earliest times to the close of the eighteenth century are treated with many personal details by Mr. Leon Hühner. Mr. Benjamin H. Hartogensis explains clearly the history of the peculiar law of Rhode Island regarding consanguineous Jewish marriages, and its relation to the law prevailing elsewhere in America. The other contributions are mostly collections of original documents, or are biographical in character.

An Historical Digest of the Provincial Press, being a Collation of all Items of Personal and Historic Reference relating to American Affairs printed in the Newspapers of the Provincial Period, beginning with the Appearance of The Present State of New-English Affairs, 1689, Publick Occurrences, 1690, and the First Issue of The Boston News-Letter, 1704, and ending with the Close of the Revolution, 1783. Compiled and edited under the direction of Lyman Horace Weeks and Edwin M. Bacon. [Massachusetts Series, vol. I.] (Boston, the Society for Americana, 1911, pp. xiii, 564.) The scheme of this work is to reproduce the texts of American newspapers other than their reprints of foreign intelligence in the English journals, from the first attempted American newspaper in 1690, of which a single number was issued, down through the provincial period closing with the year 1783.

The first volume now issued is devoted to the Massachusetts press.

The Boston *News-Letter* naturally forms the main body of the work, occupying pages 61-488. The material of the first sixty pages is supplied by the other papers noticed on the title-page, together with an account of the precursors of the newspaper, a list of Massachusetts periodicals from 1689 to 1783, and a list of authorities.

The first newspaper (correctly so termed) issued in the colony was *Publick Occurrences*, September 25, 1690, for although it was antedated by *The Present State of the New-English Affairs*, brought out in 1689, the latter was a single broadside without indication of any intention of continuation. The editors therefore seem right in crediting to the *Publick Occurrences* the distinction of being the first attempt to start a newspaper in the colonies, for undoubtedly the publishers intended to continue it regularly, had it not fallen under the ban of the government. The only copy of the publication in existence is preserved in the Public Record Office in London. It was first reproduced in the *Historical Magazine* for 1857, by Dr. Samuel A. Green, who later, in 1901, printed it in facsimile, and it is also reproduced in the volume now under consideration.

Next came the Campbell News-Letters, issued by John Campbell, postmaster of Boston, 1703, which comprised news that came to him from abroad, legal items of Boston, and reports received from other American colonies through the post-office. Twelve of these letters are here printed, preceded by nine manuscript News-Letters from 1699 to 1703.

The Boston *News-Letter* takes up the rest of the volume. In the presentation of the paper the foreign news is briefly summarized, then the American news is given *in extenso*. The contents are commonly made up of proclamations, port statistics, importations, postal service, events local and colonial, real estate transactions, property holdings, wills, court and administrative affairs, legislative acts, and advertisements.

The editors are modest in their claims as to what extent the material in these volumes will add to knowledge of the period covered. From our examination, we think that they are justified in the idea that considerable new light has been shed upon "literary usages, the origin of words, terms and phrases, which have worked their way into common language". The great value of the undertaking, however, is that it has brought together in a convenient compass, and made easily accessible, material which hitherto has had to be sought in widely scattered depositories.

Proceedings of the New York Historical Association. The Twelfth Annual Meeting, with Constitution, By-Laws, and List of Members. Volume X. (Published by the New York Historical Association, 1911, pp. 652.) The volume embodies, besides the official record of the meeting of the association at Lake Champlain, October 4, 5, and 6, 1910, a number of papers and three monographs of some length. The papers belonging in the first category are for the most part rather discursive in character, but well adapted nevertheless to the occasion of their presen-

tation. The following merit particular mention: "The Setting of Lake Champlain History", by John M. Clarke, LL.D.; "Historical Societies, their Work and Worth", by Victor Hugo Paltsits; and "The First Missionaries on Lake Champlain", by Rev. Thomas J. Campbell. The three monographs referred to, which present the results of actual investigation, are: "The History of the Iron Ore Industry on Lake Champlain", by Dr. George F. Bixby; "New Historical Light on the Real Burial Place of George Augustus Lord Viscount Howe, 1758", by James Austin Holden; and "The Black Watch at Ticonderoga", by Frederick B. Richards. Dr. Bixby's paper is quite as much descriptive and statistical as it is historical, treating largely of methods and results. Mr. Holden's paper is the most considerable contribution to the volume, and, while the subject is not one of the most inspiring, it makes, nevertheless, an opportunity for some very nice work in historical criticism. The discussion takes its rise from the discovery at Ticonderoga in 1889 of a stone which, it was assumed by some, marked the grave of Lord Howe. Mr. Holden has ransacked archives as well as printed records for material which might throw light on the question and has woven a chain of evidence which leaves practically no doubt that Howe was really buried in Albany, as had always been supposed before the discovery of the Ticonderoga stone. Most of this material has been used before. That which is offered as new is some letters of Captain Alexander Money Penny, who was with Lord Howe when he was killed and afterward took charge of his remains. Mr. Holden does not, however, state definitely where these letters are found. While the author marshals the evidence with convincing effectiveness he nevertheless often goes so far afield that one is apt to lose sight of the point of the argument. There is also a good deal of repetition. It may be added that the case for Ticonderoga is presented in this volume by Mr. F. B. Wickes. His argument is not convincing although as a brief it possesses some merit. Mr. Richards's paper really embodies a good deal of the history of the Black Watch regiment not pertaining to its service at Ticonderoga. Much of this material—regimental lists, comparative tables of losses, biographical sketches, etc.—is to be found in the twenty appendices to the article.

The Indian Place-Names on Long Island and Islands Adjacent, with their Probable Significations. By William Wallace Tooker, Algonkinist. Edited, with an Introduction, by Alexander F. Chamberlain, Assistant Professor of Anthropology, Clark University. (New York and London, G. P. Putnam's Sons, 1911, pp. xxviii, 314.) Mr. Tooker has a high reputation as a student of Algonkin names, especially those of Long Island. Heretofore his conclusions have appeared as scattered papers or chapters in local histories. Long Island names, thoroughly revised, now appear in a substantial volume, and his old friend, Professor Chamberlain, has aided in preparing this valuable book.

Trials come in such studies. Indian names in New York were written in several European tongues, and allowance must be made for this. They are mostly corrupted or abbreviated. They were written hastily—often indistinctly—and mistakes occur in transcribing. Pronunciation was often misunderstood, and words much alike in sound may have different meanings.

Long Island names were written by the English and Dutch only, lessening one difficulty. Early forms are preserved in original records, and these can be consulted in case of doubt. This Mr. Tooker has done, and his knowledge of local features has proved of great value. Long study has enabled him to correct early errors, and the result is a reliable treatise.

Algonkin words differ from Iroquois in the use of labials and also in structure. The former usually prefix the adjective and the locative particle becomes a suffix. Most Iroquois words reverse this. Mr. Tooker deals almost exclusively with the former. Familiarity with early records enables him to detect English names in supposed Indian forms, as Hoggenoch for Hog Neck. Of much interest are his notes on personal names in transfers of land. Mr. L. H. Morgan erroneously held that all Indian lands were held in common, all early writers asserting the contrary. Early Long Island deeds prove that purchases were often made from Indians owning small lots called after them.

One great advantage of Mr. Tooker's local knowledge is shown in defining Manetuck, which he at first thought a form of Manatuck, a name for hills throughout New England. He found no hill there, but a pine swamp instead, expressed by the Delaware word Menantak. His treatment of Manhattan is good.

The prosaic character of Indian place-names also comes out. They refer to boundaries, fishing places, or natural features, as elsewhere, while many persons are seeking beautiful or poetic Indian names, which are rarer. The student will value the ample critical notes, but others will find a century of names appended, suitable for boats, camps, or homes, equally precious to them. In every way it is a timely publication.

The Logs of the Serapis—Alliance—Ariel, under the Command of John Paul Jones, 1779-1780. With Extracts from Public Documents, Unpublished Letters, and Narratives, and Illustrated with Reproductions of Scarce Prints. Edited by John S. Barnes. [Publications of the Naval History Society, vol. I.] (New York, the Society, 1911, pp. xliv, 138.) This book is the first volume of the publications of the recently founded Naval History Society, an organization that proposes to render to American naval history a service similar to that rendered to British naval history by the Navy Records Society. It is printed by the De Vinne Press of New York and is an excellent sample of their beautiful workmanship. Its principal contents consist of an introductory note by the editor, lists of officers and men on the *Bon Homme*

Richard and *Ariel*, logs of the *Scrapis* (Septémber 26–November 21, 1779), *Alliance* (November 22, 1779–June 12, 1780), and *Ariel* (June 18–October 14, 1780), remarks respecting the battle off Flamborough Head, a letter of Captain James Nicholson to Captain John Barry respecting Jones's efforts before Congress to obtain higher rank in the navy (dated June 24, 1781), a letter of Jones to Commodore Esek Hopkins respecting the cruise of the *Providence* (dated September 4, 1776), a letter of Jones to John Wendell respecting the cruise of the *Ranger* and other matters (dated December 11, 1777), and some extracts from the Narrative of Midshipman Nathaniel Fanning. Nearly all of these documents are now published for the first time, and they are mostly copied from manuscripts in the possession of the editor. The book also contains a portrait of Jones (original by Moreau le Jeune), a rare print of the engagement off Flamborough Head, and facsimiles of the first page of the log of the *Scrapis*, of a letter of Lieutenant Beaumont Groube, and of the first page of the muster roll of the *Bon Homme Richard*.

In his introductory note the editor discusses at length the history of the materials published in the book, identifies the authorship and penmanship of documents, and acknowledges his obligations to those who have assisted him in his work. His note is a valuable addition to the critical literature relating to Jones. He calls the recent *Life* by Buell "simply a pleasing, popular romance". His critical skill is exhibited in his identification of two pages of manuscript, now found in the Peter Force Collection of Manuscripts, in the Library of Congress, as a part of the log of the *Scrapis*. For historical purposes the most valuable information in the book is that which relates to the battle off Flamborough Head and that which throws additional light upon the character of Jones. Large parts of the logs are chiefly of antiquarian interest; other parts however enable us to add somewhat to the details of Jones's career. Our good opinion of Jones is upon the whole not enhanced by the information presented in the book (see pp. xviii, xxvi, 125–127, 132–133). The proof-reading has been well done, and slips in statement are rare. On page xxxi, "1792" should read "1794"; and on page 128, "Ezekiel" should read "Esek". There is no index. The publication is highly creditable to the Naval History Society, and augurs well for its future performances, which might appropriately include the printing of the correspondence of Jones, or of the official letters of Revolutionary naval offices and officers.

C. O. PAULLIN.

Calendar of Papers in Washington Archives relating to the Territories of the United States (to 1873). By David W. Parker. (Washington, Carnegie Institution, 1911, pp. 476.) The volume is supplementary to Van Tyne and Leland's *Guide to the Archives in Washington*, and, as its title indicates, is a detailed description of the territorial

papers. The mechanism of the volume, like that of its predecessor, is most excellent. By grouping the calendars under the names of the various territories, it is made possible for the student to find quickly everything bearing on his subject. The calendar of documents, which includes those found in the Department of State, Treasury Department, Post-Office, General Land Office, House and Senate archives, and Library of Congress, is compressed within the lowest terms consistent with clearness. There is thus made accessible to students a vast amount of interesting and valuable material, hitherto almost unexploited by our historians.

During the preparation of the volume it became evident that some method of delimitation would be necessary. Therefore whole classes of documents, such as the Indian and military papers, those of "narrowly local character", in general, papers relating to internal improvements, routine letters, etc., were omitted. Concerning this method of elimination there is room for serious difference of opinion. The general editor of the series in his preface announces as the criterion followed this general principle, that students are primarily interested in the phenomena of the developing territory that have to do "with its government and its constitutional and political history". It is the reviewer's opinion that students of western history are equally interested in social and economic development and that the usefulness of an otherwise excellent volume has been impaired by too general exclusion. No doubt it is planned to supplement this volume with one including some of the omitted classes; but the students' demands would have been better satisfied by calendaring together all documents within the field; and a more comprehensive work, published in several volumes, could have been carried out with an ultimate saving of time and labor for the Institution.

Calendar of the Papers of Martin Van Buren, prepared from the Original Manuscripts in the Library of Congress by Elizabeth Howard West. (Washington, Government Printing Office, 1910 [1911], pp. 757.) Half a dozen years ago Mrs. Smith Thompson Van Buren and Dr. Stuyvesant Fish Morris presented this collection of Van Buren papers to the Library of Congress. Dr. James Schouler has described it in the ninety-fifth volume of the *Atlantic Monthly*. In spite of the large excisions, notably of letters to Jackson, which the careful Van Buren made from the mass of papers he possessed, the collection remains one of the great sources for a knowledge of American political history in the second quarter of the nineteenth century. Some six thousand letters are calendared in this volume—a great service to historical students. The calendaring seems to have been done with much care and skill. The index covers more than ninety pages of fine print.

Annual Report of the American Historical Association for the Year 1908. Volume II, Parts I. and II. *Diplomatic Correspondence of the Republic of Texas*. Edited by George P. Garrison, Ph.D., Professor of

History in the University of Texas. (Washington, Government Printing Office, 1911, pp. 807; 808-1617.) The importance of this publication is obvious. Many good judges believed that the Republic of Texas might become a rival of her great neighbor, and she had relations with foreign powers which signified much for the United States. These volumes consist of several bodies of correspondence: with the United States, 1835-1842, in addition to that which made up volume I. (AMERICAN HISTORICAL REVIEW, xv, 630); with the United States, 1843-1846; with Mexico, 1836-1845; with Great Britain, 1837-1846; with France, 1838-1846; and a certain amount of correspondence with Spain, Prussia, Belgium, the Netherlands, the Hanse Towns, the Papal States, and Yucatan. Light is thrown upon numerous interesting subjects, and notably upon the relations of Texas to the United States (leading up to annexation), her relations to England, the policy of England and France with reference to our acquiring her, and the internal political affairs of Texas and the United States. In many cases the documents are of the highest value. The editing—a little more pronounced than that of volume I.—was substantially completed by Professor Garrison, and while possibly there might be a difference of opinion occasionally as to capitalization or some other detail, we may rely confidently, of course, on the scholarship and fidelity of the work. The division of the correspondence into groups, it should be noted, requires one to be careful, for some of the documents deal with more than a single country. For instance (p. 1,485), Ashbel Smith's despatch (no. 55) of June 2, 1844, is placed in the correspondence with France, but is concerned mainly with England. In both of these countries he was the Texan representative. One could wish that some of the many papers (beginning on page 1289) relating to Saligny's petty quarrel with the Texan authorities, growing out of his refusal to pay a bill for board, had been condensed or omitted, and in their place certain particularly important despatches, to be found only in out-of-the-way publications, had been reprinted; but a plan so deliberately made must be criticized with great caution. A Calendar of Correspondence Hitherto Printed, a list of Addenda and Corrigenda (relating to volume I.), a list of the documents arranged chronologically under the names of the writers, and a good general index complete the work.

JUSTIN H. SMITH.

The British Consuls in the Confederacy, by Milledge L. Bonham, jr., Ph.D. (Columbia University Studies in Economics and Public Law, volume XLIII., no. 3, pp. 267), is an extensive study of an interesting phase of Confederate history. At the outbreak of the Civil War foreign consuls resident in the seceding states were allowed to continue the exercise of their functions on the theory that the exequaturs granted by the federal government as the agent of the states remained valid, while at the same time the Confederate government desired to make the consuls a

lever for inducing recognition of the Confederacy. The policy led however to complications and friction, with the result that the consuls were ultimately expelled. Dr. Bonham has gathered into this monograph a great deal of material, through which he has traced the history of the subject with care, although mainly from the Confederate side. A thorough study of the subject cannot of course be made until access can be had to the reports of the consuls themselves. The principal manuscript materials which have been used are the Pickens-Bonham papers and the Pickett papers in the Library of Congress and the letter-books of Governors Clark of North Carolina and Lubbock and Murrah of Texas. The affair of the consuls, aside from its direct bearing upon the Confederacy, is of particular interest because of the questions of international law that were involved in it. For it was the diplomatic rather than the commercial phase of consular activity that was brought to the fore by the situation. A chapter is nevertheless devoted to the commercial relations of the consuls. The public attitude in the matter, as voiced by the newspapers, is presented with some particularity.

Memoirs of W. W. Holden. With an introduction by William K. Boyd. [The John Lawson Monographs of the Trinity College Historical Society, Durham, North Carolina, vol. II.] (Durham, 1911, pp. vii, 199). The writer of these memoirs was editor and proprietor of the *North Carolina Standard* from 1843 to 1868; was appointed provisional governor of North Carolina by President Johnson in May, 1865, holding that office until the following December; was elected governor in 1868, and was impeached in March, 1871, because of his proceedings against the Ku Klux Klan. The memoirs of a man who was in the very forefront of state politics for more than a quarter of a century during which politics constantly seethed and boiled ought to be of great value. These memoirs possess interest and they also have value; nevertheless they are something of a disappointment, because there is so much that Governor Holden might have told us which he has not, so many matters of which we are given only a partial view which we could wish had been presented in a broader light. The principal reason for these deficiencies, as well as for the somewhat disorganized state in which the memoirs appear, is to be attributed to the advanced age and feebleness of the writer at the time when his memoirs were recorded. He laments that while his mind is full of the events of the past he has not the physical strength to catch them and fix them all on paper. In spite of these deficiencies we do however learn how many things came about in North Carolina politics concerning which we should otherwise be shut up to conjecture. Conferences and other incidents which reveal the attitude of the memoirist and the part which he took in affairs are often related in some detail; sometimes indeed with the additional purpose of revealing the attitudes of other men. Concerning the trend of political opinion the exposition is not all that could be desired. The development of

Holden's own attitude from one of pronounced hostility to the "Black Republicans" in 1856, or thereabouts, to alliance with their successors in 1865, if not in 1863, is only half explained. Touching his course in suppressing the Ku Klux, Governor Holden, although acknowledging that he doubtless made mistakes, at the same time spiritedly maintains that he was not actuated in the least by political motives and that the course he took was absolutely necessary. There is throughout the book a singular freedom from personal attack on those who opposed him; scarcely any manifestation of bitterness even toward those who were active in his impeachment. Taken as a whole the memoirs aid materially toward an understanding of Holden's part in reconstruction in North Carolina, and contribute something toward a general view of the period.

The Panama Canal: a Study in International Law and Diplomacy. By Harmodio Arias, B.A., LL.B. [Studies, London School of Economics and Political Science.] (London, P. S. King and Son, 1911, pp. xiv, 188.) This essay is an attempt to determine the status of the Panama Canal from the standpoint of international law. In the first part the author reviews the diplomatic history of the question, and in the second he discusses existing treaty stipulations and the principles of international law which he deems applicable. The historical discussion contains little or nothing that is new. The discussion of the legal status of the canal is, however, timely and suggestive.

We agree with the writer that in view of "the analogy existing between the Suez and Panama canals, it seems impossible to avoid the conclusion that their position in law will be exactly the same", but in assuming that "there is no doubt whatever as to the international status" of the Suez Canal, he leaves out of account the reservation under which England signed the Convention of 1888, and the fact that this reservation was again brought to public notice by Mr. Curzon on the floor of the House of Commons in 1898. He also overestimates the neutralization features of the Hay-Pauncefote Treaty and fails to interpret that instrument in the light of the clauses stricken out of the first draft. As a matter of fact the treaty as revised is full of loopholes, and the neutralization of neither canal is yet fully assured. The fact that the Hay-Pauncefote Treaty is signed only by the United States and England, Mr. Arias contends, contrary to most writers, does not impair the principle of neutralization, because the treaty "embodies rules which have already gained universal acceptance [in the Suez Canal Convention] and are just in themselves".

In the chapter on The Fortification of the Panama Canal Mr. Arias again differs from most authorities in holding that fortifications are not inconsistent with the idea of neutralization. Neutralization, he says, "cannot take away the right of self-defence, and, as a logical consequence, the erection of fortifications is not repugnant to the notion of neutralization". In view of the decision of the United States to fortify

the canal this view should be of comfort to the advocates of neutralization.

The quotation from President Cleveland's message, page 50, is not taken from an official source and is inaccurate. The date of the second Peace Conference, pages 79 and 141, should be 1907 and not 1909. Off-shot, page 78, should be offshoot.

JOHN HOLLADAY LATANÉ.

TEXT-BOOK

A History of the Ancient World. By GEORGE WILLIS BOTSFORD, Ph.D., Professor of History, Columbia University. (New York, Macmillan Company, 1911, pp. xviii, 588.)

The great advantage which Professor Botsford's *History of the Ancient World* possesses is that it springs from a first-hand acquaintance with the sources. For twenty-five years he has been busied professionally with their study. In that time, moreover, he has had occasion to keep in constant touch with the secondary literature; and how wide is his reach and careful is his performance all those know who have tested his *Roman Assemblies*. One may dissent from Professor Botsford's opinion on particular matters, and, in fact, the reviewer is by no means in accord with all his conclusions. That goes almost without saying in a province where the elements of uncertainty are often so great. The point is that the views stated in this text are generally capable of a satisfactory defense. They are not, as is unhappily too frequently the case in similar works, survivals of abandoned syntheses or half-truths reached by ignoring new or pertinent facts. Ancient history is now cluttered up with generalizations which were once sound but which have proved inadequate with advancing knowledge, and with the hasty inferences of men of imagination to whom the paucity of materials has been a license for free and reckless conjecture. A lot of dead books are commonly treated with numbing reverence and a lot of live books with undeserved respect. It is, therefore, refreshing to find a text-book writer who is really critical.

In the material equipment of text-books on ancient history the standard set in the United States is very high—higher the reviewer believes than in any other country. In paper and binding they are often inferior to their English rivals, but to them alone; whereas in the number of maps and other illustrations they are in a class by themselves. Professor Botsford's maps are well designed and his illustrations well chosen. If fault can be found at all it is with the way some of them are executed, but it is a fair question whether much better can be reasonably demanded in a work which contains 606 pages and has to sell for \$1.50. Care has been taken to have the maps really help geography and the cuts really illustrate the text, and in general no pains have been spared to enable the students—and the teachers, alas!—to pronounce all proper names

and find all place-names. The so-called Note-book Topics appended to each chapter are not impracticably numerous and are accompanied by references to reliable and serviceable books.

"The newer educational movement", says Professor Botsford in the preface, "rightly lays stress on the causal relations and the significance of events and on culture and social life. My *History of Greece* (1899) did pioneer work in this field; and I now cherish the hope that educators will soon see their way clear to the elimination of many minor persons and events from the study of ancient history to make room for a larger treatment of social and cultural activities." It is, perhaps, unwise to dwell on controversial matters in a review; but the writer finds himself so strongly at variance with at least one phase of the so-called "newer educational movement" that he cannot refrain from criticizing its appearance in this text-book. For laying "stress on the causal relations and the significance of events" he has nothing but praise; and the excellence of Professor Botsford's earlier histories in this respect perhaps permits him to "Myerserize" a trifle in his latest effort. But when we are told that the old-fashioned narrative history shall be reduced to a minimum to make way for disquisitions necessarily more or less abstract on culture and society the reviewer wishes to protest in the name of the boys and girls of fourteen for whom, presumably, this book is intended. That sort of thing may be within the grasp of young people of eighteen preparing for college, though some experience in reading college entrance papers has convinced the reviewer of its general futility in the high-school curriculum. Surely for the other class, the big and growing body of first-year pupils, the text-book which does not tell a story vividly and with some appeal to the dramatic sense is bound to be more or less of a failure. And if the facts of history thus presented elicit no response we had better admit frankly the failure of history itself. Can a moving story be embodied in a summary of chief events enlarged by a similar summary of cultural and social topics? The reviewer has serious doubts even at the end of Professor Botsford's skilful and experienced narrative. He hopes that educators in this country will soon see their way clear to revert to the practice of England and the Old World generally of instructing beginners in history by telling them a story and compelling them to know it. To do so means of course one text for the first-year class and quite a different one for college preparatory work. It means too that boys and girls are confessedly unable to appreciate everything that makes Greece and Rome great.

W. S. FERGUSON.

NOTES AND NEWS

AMERICAN HISTORICAL ASSOCIATION

The twenty-seventh annual meeting of the American Historical Association is held at Buffalo on December 27, 28, and 29, and at Ithaca on December 30. The programme devotes the session of Wednesday evening to the address of Professor Sloane as president of the Association, and to that of Governor Simeon E. Baldwin as president of the American Political Science Association. It makes provision for plenary sessions occupied with British imperial problems, with papers in diplomatic history, with the history of Spanish America, and with European history; for a joint session with the Mississippi Valley Historical Association, devoted to various frontier problems of an historical sort; and for conferences of archivists, of state and local historical societies, of teachers of elementary history, and of persons interested in ancient history, European history, and southwestern history. Provision is likewise made for entertainment by a "smoker" given by the Buffalo Club, a luncheon at Buffalo, another at Cornell University, and a reception at the house in Ithaca of Honorable Andrew D. White, the first president of the American Historical Association. The next annual meeting, December, 1912, will be held at Boston and Cambridge.

The members of the American Historical Association were advised by circular, at the time of publication of the second volume of the *Annual Report* for 1908 and of the (single-volume) *Annual Report* for 1909, that those volumes would be sent out to members only in case they signified, by means of a return post-card which was provided, their wish to receive these books. Members who may not have given immediate attention to the matter should be informed that the volumes are still, and will continue to be, obtainable upon application addressed to the secretary, Mr. W. G. Leland, Carnegie Institution, Washington, D. C. The *Annual Report* for 1910, which will consist of but one volume, is for the most part in page-proof. The Toombs-Stephens-Cobb correspondence is postponed to next year's report. It may be useful for libraries to know that, while the annual bibliography entitled *Writings on American History, 1909*, is embedded in the *Annual Report* for that year, and the same will be true of the subsequent annual bibliographies, separates, in cloth binding, can also be had. Applications for them, or for the separate volumes for 1906, 1907, and 1908, should be addressed to the secretary. The Association and several other subscribing societies and individuals have assured continuance of this bibliography for another period of five years.

In the series "Original Narratives of Early American History" a volume entitled *Original Narratives of Early Pennsylvania, West New Jersey, and Delaware*, edited by Mr. A. C. Myers, has been completed in the press, but publication has been deferred until after the beginning of the new year.

At the time of going to press it is expected that Mr. Notestein's prize essay on *The History of English Witchcraft* will have been issued to subscribers before the close of 1911, and that Mr. Turner's on *The Negro in Pennsylvania* will be so issued before the end of January. The Herbert Baxter Adams prize for 1910 is awarded to Miss Louise F. Brown of Wellesley College, for an essay on the Political Activity of the English Anabaptists under Cromwell.

The *History Teacher's Magazine* for September contains articles on historical material and its keeping by Professor T. N. Hoover and on the introductory course at the University of Missouri by Professor N. M. Trenholme, together with contributions on historical museums and pictures and other topics of interest to teachers in secondary schools. The *History Teacher's Magazine*, managed with great enterprise and intelligence, has, during the two years of its existence, so commended itself to the opinion of all persons competent to judge and to the service of those for whom it was intended that the announcement of its discontinuance seems to have awakened universal surprise as well as regret. It is hoped that means may yet be found by the American Historical Association, through which this useful journal may be assured of support and continuance. A committee appointed at the meeting of the Executive Council of the Association, December 2, and consisting of Professors St. George L. Sioussat, F. M. Fling, H. D. Foster, J. F. Jameson, Henry Johnson, and A. H. Sanford, is actively engaged in collecting subscriptions toward a guarantee fund for three years, to supplement that which has been voted from the treasury of the Association. Subscriptions may be sent to Mr. Jameson as treasurer of the fund.

PERSONAL

Count Henry Houssaye, of the French Academy, died at Paris in September, at the age of sixty-three. His first important work was a history of Alcibiades and of the Athenian republic of his time, published in 1874 and followed by various other writings in classical history. But those which have had the most vogue, passing in some cases through more than fifty editions, were his 1814, 1815, *La Première Restauration, Le Retour de l'Île d'Elbe, Les Cent Jours, Waterloo, La Terreur Blanche*, etc., brilliant pieces of literature resting on solid researches.

Martin Ignatius Joseph Griffin, secretary of the American Catholic Historical Society, died in Philadelphia on November 10, at the age of sixty-nine. An eager student of Irish-American and Catholic-American history, and a diligent and serviceable editor of a valued Catholic his-

torical magazine, he also wrote several biographies, of which the chief was a *History of Commodore John Barry*.

Miss Emma H. Blair died at Madison, Wisconsin, on September 25, at the age of sixty. She is known as the assistant editor of *The Jesuit Relations* and as joint editor of *The Philippine Islands*. The information, knowledge, and skill shown in her editorial work were the fruits of laborious devotion to her work and of constant and wide reading. Among those more intimately associated with her she will be remembered for her modest and single-minded devotion to historical research.

During the present academic year the Theodore Roosevelt professorship at the University of Berlin is held by Professor Paul S. Reinsch of the University of Wisconsin, who lectures on the Expansion of the United States. In 1912-1913 it will be occupied by Professor William M. Sloane of Columbia University, whose theme will be the History of Political Parties in the United States.

Dr. Arthur C. Howland has been promoted to the full rank of professor of medieval history in the University of Pennsylvania.

Mr. Clarence D. Johns of the University of Chicago has been appointed by the Board of Trustees of the Illinois State Historical Library to the position of investigator of county and other local archives, in accordance with the recent action of the state legislature which authorized an appropriation for this purpose.

Dr. Louis Pelzer has been appointed to the position of professor of Western American history in the State University of Iowa.

Dr. Louis J. Paetow of the University of Illinois has been appointed assistant professor in history at the University of California.

The resignation of Señor Genaro García from the directorship of the Museo Nacional in Mexico is to be noted as involving a great loss to organized historical scholarship in Mexico.

GENERAL

The Tenth International Congress for the History of Art will be held in Rome in October, 1912. It is expected that the chief field of discussion will be the relation of Italian art to that of other countries.

There has appeared in the "Bibliothèque de Philosophie Contemporaine" (Paris, Alcan) a volume by Henri Berr, editor of the *Revue de Synthèse Historique*, on *La Synthèse en Histoire: Essai Critique et Théorique*. This volume is intended in some degree to summarize the results of the discussions long carried on in the *Revue de Synthèse Historique* and in particular to make them of practical utility.

Volume XXXII. of the *Jahresberichte der Geschichtswissenschaft*, recently issued, deals with the literature of 1909, in two parts (pp. xii,

284, 566; viii, 461, 253). Dr. Georg Schuster continues in editorial charge. The section for the United States, covering two years, has been prepared by Mr. Waldo G. Leland.

The bibliographical bulletins of the September-October issue of the *Revue Historique* are devoted to Greek history, 1910-1911 (non-French publications, Gustave Glotz), the history of the Netherlands (Th. Bussemaker), and the medieval history of France (L. Halphen).

In the Below-Meinecke *Handbuch der Mittelalterlichen und Neueren Geschichte* there has recently been published a *Geschichte der Neueren Historiographie*, by Professor E. Fueter of Zürich (Munich, Oldenbourg).

The Hispanic Society of America has just published *Portolan Charts: their Origin and Characteristics, with a Descriptive List of those belonging to the Hispanic Society of America*, by Professor Edward L. Stevenson, secretary of the society. The text is of viii + 76 octavo pages, and fifteen of these important charts appear in full-page artotype reproduction.

In the *Nachrichten von der K. Gesellschaft der Wissenschaften zu Göttingen*, phil.-hist. Kl., 1911, 1, pp. 35-166, Dr. W. Ruge makes his fourth report, 1906-1907, on his examinations of the older cartographical material in German libraries, presenting a mass of data invaluable to the student of the history of geography.

Noteworthy articles in periodicals: A. D. Xenopol, *L'Inférence en Histoire* (*Revue de Synthèse Historique*, XXII. 3); G. Rexius, *Studien zur Staatslehre der Historischen Schule* (*Historische Zeitschrift*, CVII. 3).

ANCIENT HISTORY

The second fascicule of J. Lieblein's *Recherches sur l'Histoire et la Civilisation de l'Ancienne Égypte* (Leipzig, J. C. Hinrichs, 1911) deals with the New Theban Empire and with the dynasties between the twentieth and the twenty-sixth. Volume II. of the *Studies* of the British School of Archaeology in Egypt (London, Quaritch, 1911) contains eleven papers by W. M. F. Petrie, E. B. Knobel, W. W. Midgeley, J. G. Milne, and M. A. Murray, six being by Petrie. Tome XVIII. of the *Mémoires publiés par les Membres de l'Institut Français d'Archéologie Orientale du Caire* is the third volume of H. Gauthier's *Les Livres des Rois d'Égypte: Recueil de Titres et Protocoles Royaux* (Cairo, 1910).

Four Years' Excavations at Thebes, by the Earl of Carnarvon and Mr. Howard Carter (Oxford University Press, plates and 100 pp. folio), embodies the results of Lord Carnarvon's long explorations at Thebes, with special chapters by Professor F. Ll. Griffith, M. George Legrain, Dr. Möller, Professor Newberry, and Professor Spiegelberg. Of especial interest is the account and translation of the important historical

tablet relating to the wars of the Theban kings of the seventeenth dynasty with their Hyksos suzerains which resulted in the final overthrow of the latter.

Professor John Garstang of the University of Liverpool has, on the basis of two journeys of exploration and long continued studies, summarized the present knowledge of the Hittite Empire in *The Land of the Hittites* (pp. 390), published in this country by E. P. Dutton.

Some fifty pages of the *Revue des Questions Historiques* for October are occupied with an elaborate survey of the writings of 1910 on ancient Greek and Roman history, by Professor Maurice Besnier of Caen.

The *Revue Historique* for November–December contains a summary review of recent non-French books on Roman history, by Professor Charles Lécirvain of Toulouse.

The Open Court Publishing Company has taken the occasion of Professor Franz Cumont's visit to America to publish in an authorized translation his *Oriental Religions in Roman Paganism* (pp. 320).

EARLY CHURCH HISTORY

Band XXV. of the *Abhandlungen der k. Bayer. Akademie der Wissenschaften*, phil.-hist. Kl., is an edition by A. Ehrhard of a work by the late Professor Karl Krumbacher entitled *Der hl. Georg in der Griechischen Überlieferung* (Munich, G. Franz, pp. xlii, 332).

Professor Carl Mirbt's *Quellen zur Geschichte des Papsttums und des Römischen Katholizismus* has been issued in a third edition (Tübingen, J. C. B. Mohr, pp. xxiv, 515), revised and enlarged, particularly in the field of recent history.

Noteworthy articles in periodicals: A. Harnack, *Greek and Christian Piety at the End of the Third Century* (Hibbert Journal, October).

MEDIEVAL HISTORY

The first volume of the *Cambridge Medieval History*, planned by Professor Bury and edited by Professors H. M. Gwatkin and J. P. Whitney, has just appeared (Cambridge, University Press; New York, Macmillan, pp. xxiii, 754). Its subtitle is *The Christian Roman Empire and the Foundation of the Teutonic Kingdoms*, with which it deals in the manner now made familiar by the *Cambridge Modern History*, in twenty-one chapters by twenty different writers. The bibliography covers 81 pages, the index 56. An octavo portfolio contains fourteen illustrative maps.

Mr. Henry Osborn Taylor has published a third edition of his *The Classical Heritage of the Middle Ages* (Macmillan) with a small appendix of additional bibliographical references, but with few other alterations.

Dr. E. A. Loew of the American School of Classical Studies in Rome has recently issued *Studia Palaeographica: a Contribution to the History of Early Latin Minuscule and to the Dating of Visigothic MSS.* (Munich, Bavarian Academy). He has also in press *Scriptura Beneventana* (a collection of facsimiles with accompanying text; Rome, D. Anderson), together with a treatise, *The Beneventan Script: a Manual of the South Italian Minuscule*, and *Scriptura Latina Minuscula Antiquior*, a series of fifty facsimile plates of early Latin minuscule from the seventh to the ninth century.

Volume 165 of the *Sitzungsberichte* of the Vienna Academy (Vienna, A. Holder, 1911, pp. 354) is entirely devoted to a remarkable piece of searching criticism by Father W. Peitz, S.J., *Das Originalregister Gregors VII. im Vaticanischen Archiv (Reg. Vat. 2) nebst Beiträgen zur Kenntnis der Originalregister Innozenz' III. und Honorius' III. (Reg. Vat. 4-11)*.

The *Deutsche Literaturzeitung* for August 12-19 contains a brief but very helpful review by Professor R. Seeberg of the literature on St. Francis of Assisi, since Sabatier, under the title "Zur Charakteristik des hl. Franz von Assisi".

Noteworthy articles in periodicals: B. Steinitz, *Die Organisation und Gruppierung der Krongüter unter Karl dem Grossen* (Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, IX. 3); W. Ewald, *Siegelmisbrauch und Siegelfälschung im Mittelalter* (Westdeutsche Zeitschrift für Geschichte und Kunst, XXX. 1); Paul Fournier, *Le Décret de Burchard de Worms: ses Caractères, son Influence*, II. (*Revue d'Histoire Ecclésiastique*, October); L. Fumi, *Eretici in Boemia e Fraticelli in Roma nel 1466* (Archivio della R. Società Romana, XXXIV. 1-2).

MODERN EUROPEAN HISTORY

An important work by Abbé Auguste Humbert on the *Origines de la Théologie Moderne* has been begun with a volume on *La Renaissance de l'Antiquité Chrétienne (1450-1521)* published by Lecoffre (Paris, 1911, pp. 358), in which he proceeds from the medieval reform movements to the Lutheran.

The Papacy and Modern Times: a Political Sketch, 1303-1870, by Rev. Dr. William Barry, and *History of our Time, 1885-1911*, by G. P. Gooch, are recent additions to the *Home University Library* (New York, Holt).

A new edition of Calvin's *Institutes* has been published by H. Champion, Paris, under the editorship of Professor A. Lefranc assisted by Professor H. Chatelain and J. Pannier (two volumes, pp. xliii, 842). The work is published from the first French edition of 1541 and is furnished with an exhaustive critical and historical introduction by

Professor Lefranc. The last important edition, that of Baum, Cunitz, and Reuss, for the *Corpus Reformatorum* in 1865 is not regarded as based on a satisfactory text (that of Calvin's last French edition, 1560), and in 1894 M. Lanson maintained the necessity of going back to the edition of 1541. The cost of the present undertaking is being defrayed by the Marquise Arconati-Visconti.

The latest annual report of the Prussian Historical Institute in Rome mentions the issue of volume XI. of the first series of the *Nuntiaturberichte*, ed. Friedensburg, containing the relations of Pietro Bertano, 1548-1549. This, with volume VII., for 1541-1545, ed. Cardauns, shortly to appear, will nearly complete the first series, 1533-1559. A volume of nuncio-reports from Prague for 1603-1606, ed. A. O. Meyer, is also to be published soon. Professor Schellhass has in preparation a volume on the Catholic reform movement under Gregory XIII., Dr. Hiltebrandt one on the history of Protestantism in Poland from 1550 to 1768, Dr. Cardauns one on the political relations between Charles V., Francis I., and Paul III., 1538-1544, and Dr. Sthamer one on the University of Naples in the thirteenth century.

The third volume of Professor Josef Šusta's *Die Römische Kurie und das Konzil von Trient unter Pius IV.* (Vienna, Holder, 1911) consists of documents carrying the history of the council from September 19, 1562, to May 17, 1563, and bearing especially on the decree regarding residence of bishops, on the discussions upon the Sacrament of Orders, and on the arrival and activities of the Cardinal of Lorraine.

The house of Félix Alcan, Paris, announces the appearance, January 1, 1912, of the first number of a *Revue des Études Napoléoniennes*, to be issued every two months under the direction of M. Édouard Driault. It will regard both Empires as its field; indeed the field seems to be regarded with a very liberal eye, as special attention will be given to the Italian Risorgimento, and the claim is made that the publication "sera comme une revue du XIX^e siècle". A large number of well-known names appear in the *Comité de Patronage et de Rédaction*. In regard to domestic history the programme proceeds from the assertion that "il y a presque tout à faire pour l'étude des institutions, des constitutions, du gouvernement, en un mot du régime impérial", and special attention is also promised to literary and artistic history. A large amount of work is definitely announced for near publication.

The *Correspondant* has recently been publishing material of great interest in the study of papal policy in the early nineteenth century. It includes the letters of Lacordaire to the Count de Falloux and a body of recollections of the pontifical zouaves by M. O. Le Gonidec de Traissan.

H. Haessel, of Leipzig, has published *Die Zeitschriften der Romantik*, by Johannes Bobeth, with facsimiles. The journals are dealt with individually, from the standpoint of literary history.

Professor Gottlieb Egelhaaf's *Geschichte der neuesten Zeit vom Frankfurter Frieden bis zur Gegenwart* has reached a third revised edition within three years (Stuttgart, C. Krabbe, pp. x, 594), the revision being by Professor Neukirch and bringing the narrative to July, 1911.

Noteworthy articles in periodicals: *The Collapse of the First Coalition* (The Edinburgh Review, October); H. Friedjung, *Fürst Felix Schwarzenberg und Graf Albrecht Bernstorff* (Historische Zeitschrift, CVII. 3); Pierre Muret, *La Politique Française dans l'Affaire des Duchés et les Premiers Essais d'Intervention Européenne jusqu'à l'Invasion du Slesvig*, I. (Revue d'Histoire Moderne et Contemporaine, September-October); Max Adler, *Mach und Marx: ein Beitrag zur Kritik des modernen Positivismus* (Archiv für Sozialwissenschaft und Sozialpolitik, XXXIII. 2).

GREAT BRITAIN AND IRELAND

The preliminaries for the bibliography of the modern history of Great Britain, planned in concert by committees of the American Historical Association and of the Royal Historical Society, are now practically complete. The selection of titles and the gathering of data for the sixteenth and seventeenth centuries are going forward, in the hands of some sixteen scholars, members of the two committees and others. Some ten thousand titles will be included. The work will consist of three volumes, one general, one devoted to the Tudor and Stuart periods, and one to the Hanoverian period. The general editor is Professor G. W. Prothero, chairman of the English committee.

The inaugural meeting of the Historical Association of Scotland was held at the University of Edinburgh on November 11, Professor Richard Lodge presiding. The English Historical Association, founded five years ago, now has a thousand members and fourteen branches, and has published twenty-five pamphlets and leaflets.

It appears that in certain weeks of the autumn the best selling book in England has been the history of England prepared for ingenuous youth by Mr. C. R. L. Fletcher and Mr. Rudyard Kipling, the latter contributing verses of undoubted merit and patriotic intention, the former a narrative praised by all Tory journals.

In the *Junior School British History* (London, Rivington, 1911, pp. vii, 341) Arthur D. Innes has added to his earlier text-books a book adapted to younger pupils. The history of England is divided into seven periods the story of each of which is supplemented by tables of dates and lists of leading statutes.

The firm of John Murray is about to bring out a *Life of Edward, First Earl of Sandwich, 1625-1672*, prepared by Mr. F. R. Harris from hitherto unpublished documents preserved at Hinchinbroke, a *Life of the Marquess of Ripon*, by Mr. Lucien Wolf, and a *Life of the Right*

Honorable Sir Charles Dülke, edited by his literary executrix, Miss Gertrude Tuckwell, from diaries and papers in the possession of the family; also a volume on *Tangier: England's Lost Atlantic Outpost, 1661-1684*, by E. M. G. Routh, prepared from original archive materials and illustrated by plates reproduced from etchings by Wenceslaus Hollar, who visited Tangier in 1669.

Mr. T. W. Fulton, lecturer on the scientific study of fishery problems at the University of Aberdeen, has brought out (London, Blackwood) a treatise on *The Sovereignty of the Sea: an Historical Account of the Claims of England to the Dominion of the British Seas and of the Evolution of the Territorial Waters*. A thoroughgoing criticism of it will be found in the October *Edinburgh Review*.

Dr. Raymond Crawford's *The King's Evil* (Oxford University Press) reviews with much knowledge both of medicine and of literature the whole history of the practice of touching for scrofula, from Edward the Confessor to Cardinal Henry of York.

The Oxford University Press has followed its earlier volume of historical portraits with one of *Historical Portraits, 1600-1700*, selected by Mr. Emery Walker, the supplementary lives being by Messrs. H. B. Butler and C. R. L. Fletcher.

Mr. H. F. Russell Smith's *The Theory of Religious Liberty in the Reigns of Charles II. and James II.* is one of the most recent of the Cambridge Historical Essays.

The English Court in Exile: James II. at Saint-Germain, by Edwin and Marion Sharpe Grew (London, Mills and Boon) treats with much intelligence and fulness of knowledge a theme picturesque, though no longer of the highest importance.

The Village Labourer, 1760-1832, by J. L. and Barbara Hammond, has as its subtitle *A Study in the Government of England before the Reform Bill*, and is an important contribution to the literature of the Industrial Revolution.

In *William Pitt and the Great War* (Macmillan, pp. xv, 596) Dr. J. Holland Rose continues his *William Pitt and National Revival* by tracing the career of Pitt from 1791 to his death in 1806.

The Memoirs and Letters of the Right Hon. Sir Robert Morier, G.C.B., from 1836 to 1876, especially important as a record of German development, which this gifted diplomat observed close at hand, have been edited by his daughter, Mrs. Rosslyn Wemyss, and published by Arnold.

Turner's *The First Decade of the Australian Commonwealth*, reviewed in this journal in October (p. 155), is published in this country by Longmans, Green, and Company.

Dent, London, has published a useful book by C. R. Stirling Taylor entitled *An Historical Guide to London* (pp. xii, 446, illustrated).

The School of Local History and Records founded at Liverpool in 1909 will shortly publish the text of the "Town Books" of Liverpool, the facsimiles of the oldest charters of Liverpool, and a study of Lancashire place-names by Henry Cecil Wyld.

British government publications: *Calendar of the Patent Rolls, Edward III.*, vol. XI., 1358-1361; *Calendar of State Papers, Venetian*, vol. XVII., 1621-1623; *Calendar of Treasury Books*, vol. V., parts I. and II., 1676-1679, ed. W. A. Shaw.

Other documentary publications: *Calendar of Letter-Books preserved among the Archives of the Corporation of the City of London at the Guildhall: Letter-Book K, temp. Henry VI.*, ed. Reginald R. Sharpe.

Noteworthy articles in periodicals: C. H. Haskins, *England and Sicily in the Twelfth Century*, II. (*English Historical Review*, October); T. F. Tout, *Firearms in England in the Fourteenth Century* (*ibid.*); *The History of the Inns of Court* (*Edinburgh Review*, October); Count Marc de Germiny, *Les Brigandages Maritimes de l'Angleterre sous le Règne de Louis XVI.*, III. (*Revue des Questions Historiques*, October); *Ten Years of the Australian Commonwealth* (*Quarterly Review*, October).

FRANCE

We can recommend M. Gremoli, 4 rue Lavoisier, Paris, as competent to pursue historical and genealogical investigations in the archives and libraries of Paris and vicinity, and especially to undertake tasks that require a knowledge of palaeography, or that call for the copying of miniatures, or other work of unusual character.

The *Bibliothèque de l'École des Chartes* has published a somewhat elaborate "Table des Tomes LXI.-LXX." (pp. 119), covering the period 1900-1909 and prepared by M. Ch. Samaran.

A great *Dictionnaire de Biographie Française* is to be prepared after the model of those already existing for England, Germany, Austria, Denmark, and Belgium. The editors will be MM. Louis Didier, Albert Isnard, and Gabriel Ledos; the publishers, MM. Letouzey and Ané.

The *Histoire de France* prepared by M. Ernest Lavisse and his collaborators (Paris, Hachette, nine volumes, 1901-1911) has now been completed by the addition, as part 2 of volume IX. (pp. 320), of an elaborate and, we should say, notably excellent index.

The *Bibliothèque d'Histoire du Droit Normand*, in addition to its series of texts, has begun a series of monographs. The first two numbers deal with two characteristic institutions of Norman law: *Le Clameur de Haro*, by H. Pissard, and *Le Parage Normand*, by R. Genestral (Caen, 1911).

MM. Paul Vitry and Gáston Brière, who published in 1904 an album entitled *Documents de Sculpture Française du Moyen Age* which has had much success, have now continued their work with a similar publication of *Documents* for the Renaissance. The first part contains 92 plates and 20 pages of text and covers the early Renaissance (Paris, D. A. Longuet, 1911, folio).

Tome XXIX. of the *Petite Bibliothèque d'Art et d'Archéologie* is by A. Marignan, and is entitled *La Décoration Monumentale des Églises de la France Septentrionale du XII^e au XIII^e Siècle* (Paris, E. Leroux, 1911).

Professor Hans Prutz has published a new study of *Jacques Coeur von Bourges* as Heft 93 of E. Ebering's *Historische Studien* (Breslau, pp. viii, 438).

M. Pierre Champion has begun in the *Correspondance Historique et Archéologique* the publication of an inventory of the papers of Charles d'Orléans, drawn up in 1444 by the prince's secretary. The documents enumerated are now largely lost.

The important work by M. Georges Lepreux entitled *Gallia Typographica, ou Répertoire Biographique et Chronologique de tous les Imprimeurs de France depuis les Origines de l'Imprimerie jusqu'à la Révolution*, has received a considerable addition through the publication of two volumes in the *Série Parisienne*, devoted to the king's printers (Paris, H. Champion, 1911, pp. 546, 236). There is included a bibliography of the Parisian press, as well as a large number of documents. Two additional volumes will be given to the *Série Parisienne*, besides a general index; the author will then return to the provincial press, to which the first part of his work was devoted.

A central chapter of the history of France in the time of the wars of religion is treated competently and at length by M. Lucien Febvre in *Philippe II. et la Franche-Comté* (Paris, Champion, 1912, pp. 806).

The Hachette edition of the correspondence of Bossuet (*Grands Écrivains de la France*) covers with volume IV. the period 1689-1691, and embraces letters 487 to 675, 97 being published from the originals.

Thoroughness and clearness characterize *L'Administration Financière des États de Bretagne de 1689 à 1715* (Paris, Champion, 1911, pp. 256), the posthumous work of M. Franck Quessette, professor in the college of St. Servan, who has ended at the age of twenty-three a very promising career.

The firm of Hachette publishes *L'État Économique du Languedoc, 1750-1789*, by L. Dutil (1911, pp. xxiv, 962).

A. Chuquet has published with De Bocard, Paris, the fourth series of *Études d'Histoire*, dealing mainly with incidents in French military history, 1789-1815.

There appears in the *Historische Studien* of E. Ebering a new study by Fritz Klovekorn of *Die Entstehung der Erklärung der Menschen und Bürgerrechte* (Berlin, E. Ebering, 1911, pp. 228). It is the object of the author to bring more detailed evidence in favor of Jellinek's position on this matter.

The firm of Marcel Rivière in Paris has undertaken the publication of a history of the Socialist parties in France, in brief monographs. The editorship is entrusted to A. Zévaès and the first issue is a sketch by A. Chaboseau entitled *De Babouin à la Commune*. The editor contributes the second, *De la Semaine Sanglante au Congrès de Marseille, 1871-1879*.

Professor A. Aulard has published an important study of "La Centralisation Napoléonienne" in the last issues of *La Révolution Française*, XXXI. 2, 3, 4; he comes practically to the conclusion that not enough work has yet been done in the field of departmental administration under the First Empire to give an opportunity to the general historian, and calls for laborers in this field.

Frédéric Masson's *Le Sacre et le Couronnement de Napoléon*, translated under the title *Napoleon and his Coronation* by Frederic Cobb (Philadelphia, Lippincott), is a contribution to the history of the relations between Church and State in France.

F. M. Kirchheim, known by his labors in Napoleonic bibliography, has published with R. Lutz of Stuttgart, Band I. of *Napoleon's Unter-gang: Ausgewählte Memoirenstücke* (dealing with 1812), and Band I. of *Napoleon's Gespräche, zum erstenmal gesammelt und herausgegeben*. The latter work will extend to three volumes.

The Ministry of Foreign Affairs has published the fourth volume, extending from August 1 to November 5, 1864, of its *Origines Diplomatiques de la Guerre de 1870-71*.

Perrin, Paris, has published the first (and only) part of the late Alphonse Bertrand's history of the Third Republic, under the title *Les Origines de la Troisième République* (1871-1876).

The surviving executors of the Duke of Aumale have, after exercising the rights of censorship vested in them by his will, turned over to the Institute of France 187 cartons of his private correspondence and personal papers, which under the will are not to be open to inspection by scholars till 1931.

Some important manuscript losses in the field of local history were sustained by the archives of the Palais de Justice of Evreux by a fire on June 2, most of the material injured being of the revolutionary period and apparently not yet used by any investigator.

The *Revue des Deux Mondes* for September 1 contains a careful study of the late Professor Levasseur by M. Raphael-Georges Levy.

Noteworthy articles in periodicals: Lucien Romier, *La Crise Gallicane de 1551*, I. (Revue Historique, November–December); P. Renouvin, *L'Édit du 22 Juin 1787 et la Loi du 22 Décembre 1789* (La Révolution Française, XXXI. 4); Miss M. A. Pirlsford, *The Panic of 1789 in Touraine* (English Historical Review, October); C. Constantin, *Le Serment Constitutionnel dans le Département de la Meurthe* (Revue des Questions Historiques, October); F. Masson, *Les Médecins de Napoléon I. à Sainte-Hélène* (Revue de Paris, October 1, 15); *Gambetta's War Office in 1870–1871* (The Edinburgh Review, October); C. Schefer, *Albert Vandal, Historien* (Revue des Sciences Politiques, March–April).

ITALY AND SPAIN

Of Professor Kehr's *Italia Pontificia*, volume V. has just been published by the Prussian Academy (Berlin, Weidmann, 1911) containing 1474 "Acta Romanorum pontificum quae ad Aemiliam sive Ravenatensium archiepiscoporum provinciam pertinent".

A third edition of Gregorovius's *Die Grabdenkmäler der Päpste: Marksteine der Geschichte des Papstthums* (earlier editions 1856 and 1880) has been issued by Brockhaus, Leipzig, with the addition of cuts of 73 such monuments. The editor, Dr. Fritz Schillmann, has left the text unchanged, but has endeavored to bring the work up to date through the notes.

M. A. Espitalier's recent work on Murat, mentioned already in these pages, has been published in an English dress by John Lane under the title *King Murat and Napoleon*.

An extended general survey of the literature of the last three years on the history of Italy in the period since 1815 is contributed by M. Georges Bourgin to the November–December number of the *Revue Historique*.

In the *Biblioteca Storica del Risorgimento Italiano* (Milan, Alb. Agli, Segali e Comp.) there has appeared as no. 9 in series VI., *Gli Avvenimenti del 1848 in Terra d'Otranto*, by M. Sav. La Sarsa.

A visit made by the King of Spain last spring to the Archives of the Indies at Seville has resulted in royal orders for concentrating in that repository all documents relating to the history of the former Spanish dominions beyond the seas, which are now to be found in other archival centres, especially Simancas and Madrid. Adequate space will be made by vacating the lower floor of the Casa Lonja, hitherto used for other purposes, and giving over the whole building to the archives. It is expected that the establishment at Seville of a school for American historical studies will follow. Señor Pedro Torres Lanzas, director of the Archives of the Indies, has recently been promoted to the grade of First Inspector of the archival force of Spain.

Spanish historical publications of the last five years are summarily reviewed by Professor G. Desdèvises du Dezert of Clermont-Ferrand in a special section of the *Revue des Questions Historiques* for October. A summary review of the sources and general works on the economic history of medieval Christian Spain, 711-1453, by P. Boissonnade, appears in the *Revue de Synthèse Historique* for August.

Mr. William Archer's *Life, Trial, and Death of Francisco Ferrer* is published in this country by Moffat, Yard, and Company.

Noteworthy articles in periodicals: P. Fedele, *Ricerche per la Storia di Roma e del Papato nel Secolo X.* (Archivio della R. Società Romana, XXXIV. 1-2); H. Otto, *Zur Italienischen Politik Johannis XXII.* (Quellen und Forschungen aus Italienischen Archiven und Bibliotheken, XIV. 1); B. Trifone, *Lettere Inedite di Benedetto XIV. al Cardinale F. Tamburini* (Archivio della R. Società Romana, XXXIV. 1-2); W. R. Thayer, *Cavour's Last Victory* (Atlantic Monthly, October).

GERMANY AND AUSTRIA

The twelfth annual meeting of German historians was held at Braunschweig and Hildesheim, April 17-22, with an attendance of 211. It was decided to proceed with the publication of Gengler's *Sammlung der Deutschen Stadtrechte*. The next meeting was fixed at Vienna in the autumn of 1812.

Professors Brandenburg and Seeliger's *Quellensammlung der Deutschen Geschichte*, a Teubner series of thin octavo volumes, opens with the political testaments of the Hohenzollerns, first the Hofordnung of Joachim II. and the testaments of the Great Elector (1667) and Frederick William I. (1722), secondly that of Frederick the Great (1752), together with the "Gedanken über die Regierungskunst" of Frederick William III. (1796-1797), his general memorandum on the army (1797), and instructions for the Immediatfinanzkommission of 1798. Next follow two volumes containing the essential documents of the founding of the present German Empire—letters, telegrams, and protocols of the negotiations at Versailles.

E. Felber, Berlin, has published a volume prepared by P. Sander, entitled *Urkunden zur Deutschen Territorialgeschichte*. The same publisher also issues *Quellensammlung zur Geschichte des Mittelalters und der Neuzeit*, by A. von Weissenbach, and *Urkunden zur Deutschen Agrarverfassung*, by H. Wopfner.

Band IV. of Karl Zeumer's *Quellen und Studien zur Verfassungsgeschichte des Deutschen Reiches in Mittelalter und Neuzeit* (Weimar, H. Bohlau's Nachfolger) is part 3 of Rud. Smend's *Das Reichskammergericht: Geschichte und Verfassung* (pp. xvi, 402).

The Bavarian Historical Commission has in press the first volume of Professor Gerland's *Geschichte der Physik*. The Commission does

not intend to carry the *Jahrbücher des Deutschen Reiches* beyond the Interregnum, but is planning to deal with the later period in a series of volumes of the type of Redlich's book on Rudolf of Hapsburg.

The general meeting of the Görres-Gesellschaft, held early in October at Hildesheim, showed a membership of 4300 and an expenditure during the year for scientific purposes of 74,000 marks. It was announced that there had been taken over from the German ecclesiastical college in Rome the journal *Oriens Christianus*, which would be published by the section for antiquity together with the *Studien zur Geschichte und Kultur des Altertums*. A large amount of publication and publishing projects was reported on.

Dr. Willy Jahr, late of the University of Wisconsin, has published through Weidmann, Berlin, a *Quellenlesebuch zur Kulturgeschichte des Früheren Deutschen Mittelalters* in two volumes, one being devoted to texts and the other to translations and notes. Dr. Jahr has had the advantage of Professor Karl Lamprecht's encouragement and advice.

The publication of the *Regesta Pontificum Romanorum* pertaining to Germany, undertaken in 1901 by the Göttingen Academy, has begun by the issue of the first part of a volume devoted to the dioceses of Salzburg, Gurk, Saben-Brixen, and Passau, and edited by A. Brachmann (Berlin, Weidmann, 1911, pp. vii, 265).

Professor Rudolph Sohm has issued through Duncker and Humblot of Leipzig a reprint of his *Die Frankische Reichs- und Gerichtsverfassung*, first published in 1871 and long out of print. The work is issued without revision.

Dr. Georg Steinhausen than whom no one is more competent, publishes in the *Wissenschaft und Bildung* series (Leipzig, Quelle and Meyer, pp. 160) a little book on *Kulturgeschichte der Deutschen in der Neuzeit*.

Professor O. Clemen of Zwickau has published at Zwickau (F. Ullmann) the first issue of *Handschriftenproben aus der Reformationszeit*, containing 67 facsimiles of manuscripts from the large collection of the Zwickau Ratsschulbibliothek. A second issue will follow shortly. The aim of the editor is mainly palaeographic, with the practical subsidiary purpose of aiding archivists and others to recognize and classify genuine manuscripts of the period.

B. G. Teubner, Leipzig, has published volume I. of *Quellen und Forschungen zur Geschichte des Augburgischen Glaubensbekenntnisses*, by W. Gussmann, the volume dealing with *Die Ratschläge der Evangelischen Reichsstände zum Reichstag von Augsburg, 1530*, in two parts, the second being devoted to documents (pp. viii, 545; iv, 422). There is announced a second edition, revised and enlarged, of Dr. Theodor Kolde's *Die Augburgische Konfession lateinisch und deutsch* (Gotha, Perthes).

Ergänzungsband IV. of the *Archiv für Reformationsgeschichte* is *Studien über das beginnende Eindringen der Lutherischen Bibelübersetzung in die Deutsche Literatur*, by Dr. Holm Zerener (Leipzig, M. Heinsius' Nachfolger, 1911, pp. 108).

Professor Albert Waddington of the University of Lyons has begun the publication of an *Histoire de Prusse*, volume I. extending from the origins to the death of the Great Elector.

There was published in the early part of 1911 in the *Historisch-Politische Blätter* (January-May) a series of articles entitled "Aus den Papieren eines Bayerischen Diplomaten, 1810 bis 1813", based on the reports to his government of the Bavarian ambassador in Prussia, Baron W. H. von Hertling. They throw a good deal of light on the attitude of the Prussian government and on public opinion in Prussia.

M. Niemeyer, Halle, has published a book that should be of great utility, a *Kritische Bibliographie der Flugschriften zur Deutschen Verfassungsfrage, 1848-51*, by Paul Wentzke.

The *Briefe Kaiser Wilhelms des Ersten*, edited by Professor Erich Brandenburg (Leipzig, Insel-Verlag) contains not only letters but also occasional documents, and is of interest quite as much with respect to the development of the prince and emperor's character as with respect to political history.

The recently deceased Heinrich von Poschinger had undertaken a *Neues Bismarck-Jahrbuch*, in continuation of the one begun by Horst Kohl and suspended with the sixth volume. The first volume of the new series (Vienna, Konegan, 1911, pp. xii, 363) contains some important material and summaries. From the same author and publisher come also volumes II. (1870-1888) and III. (1888-1898) of *Also Sprach Bismarck* (pp. xix, 491; xiv, 383).

Band XXVI. of the *Codex Diplomaticus Silesiae*, published by the Historical Society of Silesia, is Gustav Bauch's *Geschichte des Breslauer Schulwesens in der Zeit der Reformation*, a volume prepared in connection with the celebration of the centenary of the University of Breslau (Breslau, F. Hist, pp. xi, 403). In its *Darstellungen und Quellen zur Schlesischen Geschichte* the same society has published, as Bd. XIV., G. Gunzel's *Österreichische und Preussische Städteverwaltung in Schlesien während der Zeit von 1648-1889*, as illustrated in the town of Striegau.

Heft 29 of the *Abhandlungen zur Mittleren und Neueren Geschichte* (von Below, Finke, and Meinecke), is Dr. Karl Ruckstuhl's *Der Badische Liberalismus und die Verfassungskämpfe 1841-3* (pp. vii, 173).

An interesting new study of Joseph II. is Hermann Gnau's *Die Zensur unter Joseph II.* (Strassburg, Singer, 1911, pp. xvi, 313). Stern of Vienna has recently published part II. of the translation by V. von

Demelic of Paul von Mitrofanov's *Joseph II.: seine Politische und Kulturelle Tätigkeit* (pp. xxvii, 870).

A. Edlinger, Vienna, has published the first three numbers of a collection of monographs bearing the title, *1813-1815: Oesterreich in den Befreiungskriegen*, edited by Major Alois Weltze. These issues are entitled *Die Politik Metternichs*; *Die Tage von Dresden, 1813*; *Kulm, Leipzig, Hanau, 1813*.

The Tyrolese Historische Kommission des Ferdinandeums has undertaken to continue the publication of the *Acta Tirolensia* in the following divisions: *Urkundenbuch*, *Regesten der Tirolischen Landesfürsten*, *Landtagsakten*, *Raitbücher*. It is proposed to re-edit much of the material already published.

Noteworthy articles in periodicals: H. Schreuer, *Wahl und Krönung Konrads II.* (*Historische Vierteljahrsschrift*, XIV. 3); M. Bruckner, *Die Entstehung des Trierischen Erzkanzleramtes in Theorie und Wirklichkeit: ein Beitrag zur Geschichte der Publizistik wie auch zur Deutschen Verfassungsgeschichte des 13. und 14. Jahrhunderts* (*Historisches Jahrbuch*, XXXII. 1); Dr. Richard Koebner, *Die Eheauffassung des ausgehenden Deutschen Mittelalters* (*Archiv für Kulturgeschichte*, IX. 2); L. Cristiani, *Les Propos de Table de Luther*, I. (*Revue des Questions Historiques*, October); E. Daudet, *Alexandre de Humboldt et la Police Royale* (*Revue des Deux Mondes*, September 1); P. Bailleu, *Prinz Wilhelm von Preussen und Prinzessin Elisa Radziwill, 1817-1826* (*Deutsche Rundschau*, May); P. Devinat, *Le Mouvement Constitutionnel en Prusse de 1840 à 1847; Frédéric-Guillaume IV. et les Diètes Provinciales*, I, II. (*Revue Historique*, September-December); G. Brunnert, *Die Revolution in Erfurt im Jahre 1848* (*Preussische Jahrbücher*, CXLV. 3); C. Mayer, *Die Trennung der Proletarischen von der Bürgerlichen Demokratie in Deutschland, 1863-1870* (*Archiv für die Geschichte der Sozialismus und der Arbeiterbewegung*, II. 1).

NETHERLANDS AND BELGIUM

The Rijksarchief at the Hague has received a large accession of material from the archives of the factory at Desima, Japan, important for East India Company history.

The Dutch Commission on National Historical Publications expects soon to prepare the *Gedenkstukken* for 1830-1840, to issue the first volume of the letters of Constantine Huygens and of the history of the University of Leyden, and before long to issue a first volume of documents on the Levant trade.

M. Ernest Gossart has published, through H. Lamertin, of Brussels, a volume on *Espagnols et Flamands au XVI^e Siècle: l'Établissement du Régime Espagnol dans les Pays-Bas et l'Insurrection* (pp. xii, 329). The author aims to deal with the epoch mainly from the point of view of the European position of the House of Hapsburg.

The Belgian Commission Royale d'Histoire has undertaken to publish the correspondence of the ministers of France accredited to Brussels, 1780-1790, to be edited by Professor Eugène Hubert of Liège, and a collection of memoirs and documents on the Belgian revolution of 1830, to be edited by Baron Camille Buffin.

Noteworthy articles in periodicals: H. Pirenne, *Liberté et Propriété en Flandre du VII^e au XI^e Siècle* (Bulletin de la Société d'Histoire et d'Archéologie de Gand, 1911, 2).

NORTHERN AND EASTERN EUROPE

Duncker and Humblot of Leipzig have recently published in German translations a good deal of invaluable material for the following of the contest between the Russian administration and Finland. There is included a report of the proceedings of the international congress of juriconsults in London which reviewed the controversy; this gives the constitutional material laid by the Finns before the gathering.

The late Professor Karl Krumbacher, founder of the *Byzantinische Zeitschrift*, has bequeathed his library to the Greek (later) Seminar of the University of Munich.

Noteworthy articles in periodicals: A. Andréadès, *Les Finances Byzantines*; I. (Revue des Sciences Politiques, March-April); L. Bril, *Les Premiers Temps du Christianisme en Suède, Étude Critique des Sources Littéraires Hambourgeoises*, III. (Revue d'Histoire Ecclésiastique, October); G. Guillot, *Leopold I^{er}, les Hongrois, les Turcs, le Siège de Vienne, Papiers Diplomatiques Inédits* (Revue d'Histoire Diplomatique, XXV. 3).

THE FAR EAST AND INDIA

The firm of John Murray is about to publish *An Account of my Life*, by Her Highness the Begam of Bhopal, in which the ruler of that state presents both a personal autobiography and a history of Bhopal during the period of her reign. The narrative, written by herself in Urdu, has been translated into English by Mr. C. H. Payne, educational adviser to the Begam.

Mr. Lovat Fraser's *India under Curzon and After*, already in its second impression, is an important contribution to the most recent period of the history of India.

AMERICA

GENERAL ITEMS

Professor Learned's *Guide to the Manuscript Materials relating to American History in the German State Archives*, to be published by the Carnegie Institution of Washington, has been read in page-proof and

awaits only the completion of the index. Of Professor Bolton's Mexican Guide, a considerable portion has been read in galley-proof. Professor Andrews's *Guide to the Materials for American History, to 1783, in the Public Record Office*, has been completed in manuscript and sent to the printer, so far as concerns volume I., which deals with the various collections known as State Papers, and especially with the Colonial Office Papers. The volume for the period subsequent to 1783, by Messrs. Paxson and Paullin, awaits its completion to 1860 at the hands of Mr. David W. Parker, who terminated early in December his work for that purpose in London. Miss Davenport's work with respect to treaties is now being conducted in Paris. Mr. Leland has returned to Washington, having substantially completed the collecting of notes for his *Guide to the Materials for American History in the Archives of Paris*.

The Eighteenth International Congress of Americanists will be held in London from May 27 to June 1, 1912, under the presidency of Sir Clements R. Markham. The proceedings will, as usual, relate to the aboriginal races of America, its monuments and archaeology, and the history of the discovery and occupation of the New World. Information may be had from the secretary, F. C. A. Sarg, Esq., Royal Anthropological Institute, 50 Great Russell Street, London, W. C.

In the *Revue des Questions Historiques* for October Mr. L. Didier gives an interesting and valuable account for French readers of American historical progress during the last two or three years, with copious notes on books, especially in Catholic church history.

Houghton Mifflin Company have brought out a new edition of John Fiske's *American Political Ideas*, to which has been added "The Story of a New England Town", a lecture delivered by Dr. Fiske at Middletown, Connecticut, in 1900. A distinguishing feature of this edition is an introduction of seventy-five pages by Mr. John Spencer Clark. After a long discussion of the style of these lectures, Mr. Clark gives an interesting account of how they came to be delivered before the Royal Institution of Great Britain and of the notable enthusiasm with which they were received. This story is told largely through Dr. Fiske's letters to Mrs. Fiske. Mr. Clark also relates a conversation in which Dr. Fiske, shortly before his death, outlined the lecture which he planned to deliver at the King Alfred celebration in September, 1901, a lecture which was never written out. The historical part of the introduction will without doubt lend an added interest to the lectures. "The Story of a New England Town" becomes, in Dr. Fiske's hands, a survey of the salient facts of New England's history.

Houghton Mifflin Company have also issued volume II. of A. Maurice Low's *The American People: a Study in National Psychology*.

In the heading to our notice of volume I. of *The Letters of Richard Henry Lee* in our last number (p. 164), the fact should have been

mentioned, as noted on the reverse of the title-page of the book, that the book was published under the auspices and at the expense of the National Society of the Colonial Dames of America, to whose generosity and to whose committee on historical research we are already indebted for Miss Kimball's *Correspondence of William Pitt*. The society next proposes to issue two volumes of the correspondence of Governor William Shirley, derived by wide search from various repositories in England and America, and edited by the competent hands of Dr. Charles H. Lincoln.

Any persons having any original letters, documents, papers, or manuscripts relating to Judge Richard Henderson or to the Transylvania Company, of which he was president, or knowing of the whereabouts of such, are requested to communicate with Professor Archibald Henderson, University of North Carolina, Chapel Hill, N. C., who intends to prepare a biography of Richard Henderson.

* In the series of volumes published by the National Monetary Commission, besides those heretofore mentioned in these pages, a volume interesting to historical students has lately been issued, comprising the *Financial Laws of the United States, 1778-1909* (61st Cong., second sess., Senate Doc. 580).

Mr. Ellis Paxson Oberholtzer's *Referendum in America* has been greatly enlarged by the author, and, bearing the enlarged title *The Referendum, Initiative, and Recall in America*, has been published in a new edition by Messrs. Charles Scribner's Sons.

The Division of Maps in the Library of Congress is preparing for publication, in a volume of considerable size, a *Descriptive List of Maps of the Spanish Possessions within the Present Limits of the United States*, collected by the late Mr. Woodbury Lowery.

The *Proceedings* of the American Antiquarian Society, volume XXI., part 1, includes a paper by Mr. William Nelson concerning "Some New Jersey Printers and Printing in the Eighteenth Century", a discourse by Mr. Andrew McFarland Davis on the subject "The Shays Rebellion a Political Aftermath", and an illustrated discussion by Mr. Alfred M. Tozzer of the Value of ancient Mexican Manuscripts in the Study of the General Development of Writing. "The Hull-Eaton Correspondence during the Expedition against Tripoli, 1804-1805", edited from a letter-book in the library of the society by Dr. C. H. Lincoln, is a calendar of thirty-six letters between William Eaton and Isaac Hull, together with the full text of nine of the letters.

The September issue of *Americana* includes an article by Lindsay Rogers on French Opinion of the American Civil War and one by Delia A. McCulloch entitled "Forts along the Ohio". Brigham H. Roberts's History of the Mormon Church continues.

In the *Magazine of History* for July M. A. Candler writes of the beginnings of slavery in Georgia. In the August number the same writer gives an account of the Quakers of Wrightsborough, Georgia; Professor George H. Haynes offers the first part of a sketch of Charles Sumner, and W. B. Ruggles begins "The Story of a Regiment: the Second Dragoons". James N. Arnold continues his extracts from the *Providence Gazette* (1778-1780).

The *German American Annals* publishes, in the May-August number, an address entitled "Die Deutschen Indianas im Kriege für die Union", delivered by Dr. W. A. Fritsch in Evansville in September. Charlotte S. J. Epping's translation of the journal of Du Roi the Elder, lieutenant and adjutant in the service of the Duke of Brunswick, 1776-1777, which was begun in the January issue of the *Annals*, is continued through this number and that for September-December.

The *American Catholic Historical Researches* for October prints from the papers of the Continental Congress a report which Colonel John Allan, commissioner to the Indians in the east, sent on April 2, 1777, to President John Hancock of the Continental Congress. The report is concerned in part with the project for the conquest of Nova Scotia. There are also in this number of the *Researches* three letters of Allan to Hancock in 1781.

A subcommittee on publication has printed and distributed, in a small edition of 250 copies, volume I. of the *Archives of the General Convention* of the Protestant Episcopal Church in America, comprising, after an account of the archives of the church, the correspondence of Bishop John Henry Hobart, 1757-1797, edited by Rev. Dr. Arthur Lowndes. No part of the edition is for sale, but copies have been given to each diocese of this church and to the principal libraries and learned institutions of the United States, Canada, and Great Britain.

The librarian of the General Theological Seminary, Mr. Edward H. Virgin, has been devoting special effort to the accumulation in the seminary's library of biographical material upon the lives of American clergymen, a collection which has now assumed dimensions so large as to make it of considerable value to historical students.

The *American Jewish Year Book*, for the year 1911-1912, edited for the American Jewish Committee by Herbert Friedenwald (Philadelphia, Jewish Publication Society of America), contains a valuable article on the passport question, discussing fully the Russian treaty of 1832.

A volume of *American Addresses*, by Joseph H. Choate, has come from the press of the Century Company. The volume includes addresses delivered as early as 1864 and as late as 1911.

In order to preserve from defacement the inscriptions on what is called Inscription Rock at El Morro in western New Mexico a joint

expedition of the Bureau of American Ethnology and of the School of American Archaeology at Santa Fé has taken squeezes of more than twenty of the inscriptions on this national monument. The inscriptions begin with one of 1606 by Juan de Oñate. Casts will be preserved at the National Museum in Washington and elsewhere.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

The Hakluyt Society has lately issued *Early Spanish Voyages to the Strait of Magellan*, translated and edited by Sir Clements Markham. This volume contains an account of the Loaysa expedition, written by Andres de Urdaneta, and of the voyage of Saavedra to ascertain the fate of the Loaysa expedition. There are also accounts of the fate of Alcazaba and of the expedition of Alonso de Camargo in 1540. The last chapter narrates the voyage of the brothers Nodal who were the first to circumnavigate Tierra del Fuego.

A History of the American Bar, Colonial and Federal, to the Year 1860, by Charles Warren, has been published by Little, Brown, and Company. The book describes legal conditions in the seventeenth and eighteenth centuries, sets forth the growth of the American bar since the formation of the Constitution, and contains chapters on the development of corporation and railroad law and the expansion of the common law.

In a monograph entitled *Colonial Opposition to Imperial Authority during the French and Indian War* (University of California Publications in History, vol. I., no. 1., pp. 98) Professor Eugene Irving McCormac has made a useful and suggestive study of an important phase of constitutional development within the colonies during a period in which colonial assertion of rights (or should one say privileges?) was particularly active. Most of the anti-imperial and independent ideas which manifested themselves between 1765 and 1776 had already, Professor McCormac maintains, become crystallized during the preceding period through the controversies of the various assemblies with their governors. Such a study is helpful toward a fuller comprehension of the colonial revolt which came some years later.

The *Bulletin* of the New York Public Library for September prints a letter of Nathanael Greene to Samuel Adams, May 28, 1777, discussing the "Fabian" campaign of Washington.

Mrs. Danske Dandridge has in preparation a volume on St. Clair's Campaign of 1791, based partly on fresh manuscript material, including the orderly-book of Major George M. Bedinger.

Statesmen of the Old South: or, from Radicalism to Conservative Revolt, by Professor William E. Dodd, has been published by Macmillan. The statesmen chiefly studied are Jefferson, Calhoun, and Davis.

The Arthur H. Clark Company have brought out the *Personal Narrative of Travels in Virginia, Maryland, Pennsylvania, Ohio, Indiana, Kentucky; and of a Residence in the Illinois Territory, 1817-1818*, by Elias Pym Fordham. Fordham was a young Englishman who assisted Morris Birkbeck in establishing his Illinois settlement, travelled extensively, and carefully observed topographical, industrial, and social conditions. The narrative is of especial interest for local history. Professor Frederic A. Ogg furnishes an introduction and extensive annotations.

A recent Berlin doctoral dissertation, of more than usual importance and interest for American readers, is Dr. Georg Heinz's *Die Beziehungen zwischen Russland, England und Nordamerika im Jahre 1823: Beiträge zur Genesis der Monroedoktrin* (Berlin, Ebering, 1911, pp. 121).

Moffat, Yard, and Company have brought out in their series "American History in Literature" *Noted Speeches of Abraham Lincoln: including the Lincoln-Douglas Debate*, edited, with biographical sketches, by Lillian M. Briggs.

The Diary of Gideon Welles, Secretary of the Navy under Lincoln and Johnson, in three volumes, with an introduction by John T. Morse, jr., has come from the press of Houghton Mifflin Company.

A book which will doubtless prove to be of value for its treatment of an important phase of our Civil War history has recently appeared in Munich (R. Oldenbourg). Its title is *Die Deutschen im Amerikanischen Bürgerkriege*, and its author is Wilhelm Kaufmann.

Lee's Invasion of Northwest Virginia in 1861 (pp. 164), by G. D. Hall, has been published in Glencoe, Illinois, by A. C. Hall.

Volume XXIV. of the first series of *Official Records of the Union and Confederate Navies in the War of the Rebellion* (pp. xvi, 803), edited by Mr. Charles W. Stewart, has appeared.

The Truth about Chickamauga, by Archibald Gracie, is a study of the battle from the point of view of the Federal soldier, based on official records and the recollections of survivors.

Mr. Frederick Trevor Hill has brought out through Appleton *On the Trail of Grant and Lee*, a book constructed on somewhat the same lines as the author's *On the Trail of Washington*.

General M. P. Chipman, now presiding justice of the Third District Court of Appeal in California, who presided at the trial of Henry Wirz, keeper of Andersonville prison, has published his remembrances of the trial, supported by documentary and other data, and with them a general history of the prison itself, under the title *The Tragedy of Andersonville* (Sacramento, 1911, pp. 511).

Ebenezer Rockwood Hoar: a Memoir, by Moorfield Storey and Edward W. Emerson (Houghton Mifflin Company), possesses historical value for the light it throws upon the period succeeding the Civil War.

A volume possessing considerable interest for the early history of railroad construction and policy is Henry G. Pearson's *An American Railroad Builder: John Murray Forbes*, which has just been published by Houghton Mifflin Company. Forbes was sometime president of the Michigan Central Railroad and also of the Chicago, Burlington, and Quincy.

The Greenback Movement of 1875-1884 and Wisconsin's Part in it, by Ellis B. Usher (Milwaukee, Ellis B. Usher, 1911, pp. 92) is essentially a study of the movement in Wisconsin as led by Edward P. Allis. The pamphlet contains much original material, such as speeches, resolutions, platforms, and newspaper comment, including Steele's pamphlet *The Currency Question* (1876). Studies thus limited in scope are very helpful toward a better comprehension of the national movement.

The Government Printing Office has now issued volumes XXIX.-XXXII. of the *Executive Journals of the Senate*, covering the period August, 1893, to March, 1901.

As I remember: Recollections of American Society during the Nineteenth Century, by Mrs. Marian Campbell Gouverneur, has been brought out by Appleton. The recollections centre about New York and Washington in the ante-bellum and Civil War periods.

The Tariff in our Times: a Study of Fifty Years' Experience with the Doctrine of Protection, by Miss Ida M. Tarbell, has been published by Macmillan.

Harper and Brothers have published the recollections of General Nelson A. Miles under the title *Serving the Republic: Memoirs of Civil and Military Life*.

It is understood that the fourth volume of Mr. John Bigelow's *Retrospections of an Active Life* is ready for the press and that the fifth volume is approaching completion. It is expected that these volumes will reveal much of political and diplomatic history of the last thirty years.

Random Recollections of an Old Political Reporter, by William C. Hudson, comes from the press of Cupples and Leon Company. The writer of these recollections was for more than forty years a staff writer on the *Brooklyn Daily Eagle*. St. Clair McKelway writes an introduction to the book.

Colonel W. H. Crook has brought out through Little, Brown, and Company his *Memories of the White House*.

Charles Scribner's Sons have brought out *Memories of Two Wars: Cuban and Philippine Experiences*, by Brigadier-General Frederick Funston.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

Mr. Willard H. Schoff is publishing in the *Pennsylvania-German* (July, September) a series of papers on German Immigration into Colonial New England.

The October serial of the *Proceedings* of the Massachusetts Historical Society contains a group of five letters on American prisoners in England during the Revolution; the November issue an interesting body of material respecting the Trent affair.

The Rhode Island Historical Society has in preparation the letters and papers of Gabriel Bernon, which will be issued as a volume of the society's *Collections*. The volume will include not only the Bernon papers in the possession of the society but also those in the collection of the late Mr. William D. Ely of Providence.

A Corner Stone of Colonial Commerce, by John A. Stoughton (Little, Brown, and Company), is an historical monograph on the "seed leaf" tobacco region of Connecticut. The book includes facsimiles of old records, letters, etc.

The State Historian of New York has published (Albany, 1911, pp. xcviii, 371) the first part, A-F, of a very minute and elaborate, and apparently excellent, *Analytical Index* to the eight published volumes of the *Public Papers of George Clinton*.

A book that should prove to be interesting and possibly of historical interest is Stephen Jenkins's *The Greatest Street in the World: the Story of Broadway, Old and New, from Bowling Green to Albany* (Putnam).

The New Jersey Historical Society has recently been presented with the orderly-book of Lieutenant John Speer of the New Jersey Militia, 1779-1780. It has also acquired a considerable quantity of papers of Andrew Bell, who during the closing years of the eighteenth century held the position of collector of the port of Perth Amboy, and was also secretary of the Board of Proprietors of East Jersey. This collection comprises a large number of original surveys and returns, correspondence, etc. The society has caused to be built on ground adjoining its library a capacious fire-proof and damp-proof vault for the storage and preservation of its manuscripts and rarer books.

The Historical Society of Pennsylvania has since October received accessions of manuscripts amounting to 3500 pieces and comprising letters of officers of the Revolution and War of 1812, of financiers, of poets, and correspondence of local firms.

The *Pennsylvania Magazine of History and Biography* prints in the October number a series of interesting letters of William Franklin to William Strahan. The letters are scattered through the years 1763 to

1782 and are of considerable value for the history of the personal and political career of William Franklin. They are edited with introduction and notes by Charles Henry Hart. In this issue of the *Magazine* are also five letters selected by Miss J. C. Wylie from among the Logan papers in the Historical Society of Pennsylvania. Three of these are to John Dickinson, from Thomas Cadwalader, Charles Thomson, and Benjamin Rush, respectively. That of Charles Thomson (August 16, 1776) is of particular interest. Colonel Henry Bicker's orderly-book of the Second Pennsylvania Continental line, edited by John W. Jordan, is continued. The period covered by this installment is March 30 to April 15, 1778.

Mr. W. U. Hensel has brought out a volume upon *The Christiana Riot and the Treason Trials of 1851* (Lancaster, Pennsylvania, C. H. Barr, pp. vi, 158). The book gives a circumstantial account of the riot which took place at Christiana, Pennsylvania, in September, 1851, in resistance to the arrest of some fugitive slaves, and of the consequent trials of some of the persons concerned.

The Maryland Historical Society has brought out, under the editorship of Dr. William Hand Browne, volume XXXI. of the *Archives of Maryland*. The volume includes the proceedings of the council of Maryland, August 10, 1753, to March 20, 1761, and letters to Governor Horatio Sharpe, 1754-1765.

In a paper entitled "A Maryland Merchant and his Friends in 1750", in the September issue of the *Maryland Historical Magazine*, Mr. Lawrence C. Wroth relates some interesting facts in the career of Thomas Bacon, and incidentally of Robert Morris, father of the financier of the Revolution. Under the caption "Stamp Act Papers" appear two letters of Charles Garth, written from London in February and March, 1766, reporting at some length upon the attitude of the British Parliament. Other documents in the *Magazine* are a letter of Thomas Bacon to the vestry of All Saints Parish, July 14, 1761, and some letters of Governor Hicks in 1859 relating to the John Brown raid.

History of Frederick County, Maryland, by T. J. C. Williams, with continuation (from 1861) by Folger McKinsey, has been published in Frederick by L. R. Tittsworth and Company.

Volume 14 of the *Records of the Columbia Historical Society* (Washington, 1911, pp. 238) is chiefly biographical in its contents. Mr. Allen C. Clark contributes an account of Captain William Mayne Duncanson, an early land-speculator in the District of Columbia; Mr. Thomas F. Nelson prints and annotates a long letter of 1842 respecting Washington, by David Cooke; Dr. William Tindall contributes a brief sketch of Governor Alexander R. Shepherd, Mr. Michael I. Weller a longer life of Commodore Joshua Barney; Hon. John W. Foster writes of Maximilian and his Empire.

The Neale Publishing Company have brought out *Historic Southern Monuments*, compiled by Mrs. B. A. C. Emerson. There are approximately 200 representative Confederate monuments described and illustrated. The illustrations are usually good.

The *Virginia Magazine of History and Biography* prints in its October issue an installment of the minutes of the council and General Court, 1622-1624, from the originals in the Library of Congress, and a bibliography of muster and pay rolls, regimental histories, etc. Among the continued articles attention is called to the following items: the instructions to Lord Howard of Effingham, February 27, 1688 (from the Randolph manuscript); a letter of Thomas Ludwell to Lord Arlington (April 29, 1670), touching among other things the subject of indentured servants; a letter of John Page to William Lee, December 2, 1777; and a letter of William Aylett (1777) to the governor of South Carolina relative to a purchase of indigo.

The William and Mary College Quarterly for October prints an extract (33 pages) from the diary of Edward Ruffin, wherein it is mentioned by the diarist that he fired the first shot at Fort Sumter. The *Quarterly* prints a number of original letters, of which four are to Thomas W. Gilmer, for a brief period secretary of the navy. One of these (January 31, 1843) is from Levi Jones, member of the Texas Congress, and relates to the question of annexation; another (October 30, 1843) is from James Buchanan and concerns the political situation; and another (February 22, 1844) is from Commodore Kennon and contains suggestions for a reorganization of the navy. Among the other documents in this number are some Revolutionary proceedings in Northumberland County, 1765, 1776-1778, and some extracts from the records of Lancaster County (1652).

Volume X., no. 1, of *The James Sprunt Historical Publications* (pp. 42), published under the direction of the North Carolina Historical Society, is devoted to the records in the case of Professor B. S. Hedrick, who was dismissed from a professorship in the University of North Carolina in 1856 because of his political attitude. The record consists of several newspaper extracts, principally from the *North Carolina Standard*, edited by W. W. Holden, afterward provisional governor of North Carolina; Hedrick's "Defence" and his letters relating to the affair; and sundry letters which passed between the university authorities. The documents in the case reveal most effectively the state of the public mind in North Carolina at the time. The editor of the volume is Professor J. G. de R. Hamilton. Volume X., no. 2, of the same publication comprises a group of letters, 1819-1828, to Bartlett Yancey, preceded by two biographical sketches of Yancey, one by George A. Anderson, the other by Professor Hamilton. Yancey was a member of Congress from 1813 to 1817, served in the senate of North Carolina from 1817 to 1827, was largely instrumental in establishing the

system of public education in his state, and withal was noted as a lawyer. He died in 1828 at the age of forty-three. The letters here printed (from the collection of the North Carolina Historical Society) are from such men as William Gaston, Thomas Ruffin, Romulus M. Saunders, A. H. Shepperd, Lewis Williams, Nathaniel Macon, Willie P. Mangum, and John C. Calhoun. There is much in them pertaining to both state and national politics.

By authority of the trustees of the public libraries of North Carolina a reprint of Dr. John Brickell's rare *Natural History of North Carolina, with an Account of the Trade, Manners, and Customs of the Christian and Indian Inhabitants*, has been brought out, essentially in its original form (Dublin, 1737), with an introduction by Mr. J. Bryan Grimes.

Abstract of North Carolina Wills compiled from original and recorded Wills in the Office of the Secretary of State, by J. Bryan Grimes, secretary of state, has been published under the authority of the trustees of the public libraries (Raleigh, Uzzell, 1910, pp. vii, 670). The period covered by the volume is 1663 to 1768. The names of testators are arranged for the most part in alphabetical order, although there are occasional slips, as, for example, when Lilly is placed before Lilley, and Rhodes before Rhoads. There is an index (pp. 210) to all names, wherein also the alphabet has met with an occasional accident. In the appendix, which indexes the several will-books separately, what happens to the alphabet cannot be regarded as accidental, for, except as to initial letters, no effort has been made to place the names in an alphabetical order. It would seem to be altogether unnecessary, after giving in the heading the date covered by the will-book, to repeat these figures after every name.

My Memoirs of Georgia Politics, by Mrs. W. H. Felton, has been published in Atlanta by A. B. Caldwell. These are essentially the memoirs of Mrs. Felton's husband, Judge Felton, who for many years, beginning about 1874, took an important part in Georgia politics.

There has come to us a small volume entitled *Footsteps of the Flock; or, Origins of the Louisiana Baptists* (vol. II., second edition, part I., "South Louisiana Baptists"), by Rev. Ivan M. Wise. The author indicates in his introduction that he has planned a series of histories of Louisiana Baptists, of which volume I. (yet to be written) will be concerned with the Baptists of East Louisiana. The author has gathered much material for the history of the denomination in Louisiana, but has sent it forth too nearly in the form in which he made his notes. He points (in the body of the text) to the printed sources of information but seldom to the other sources which he has largely used. A militant tone resounds through the work.

The legislature of Texas recently made provision for an archivist, and Miss Elizabeth H. West, for some years connected with the division of

manuscripts in the Library of Congress, was elected to the position. The legislature also made an appropriation to the library commission for printing a volume of the Texas archives.

The Baker and Taylor Company have published *The Annexation of Texas*, by Professor Justin H. Smith.

The principal paper in the October number of the *Quarterly of the Texas State Historical Association* is "The Revolt of the Pueblo Indians of New Mexico in 1680", by Charles W. Hackett. This paper is a part of a larger monograph which the author purposes preparing from the extensive new materials recently discovered by Professor Bolton in the archives of Mexico. Mr. E. W. Winkler writes concerning the Destruction of Historical Archives of Texas, discussing the burning of the treasurer's office in 1845 and that of the adjutant-general in 1855. A letter of W. C. Swearingen, written April 23, 1836, gives an account of the San Jacinto campaign. The *Quarterly* will begin in January the publication of the letters of William Kennedy and Captain Charles Elliot to the British government during 1842-1845. Elliot was chargé d'affaires of Great Britain and Kennedy was a semi-official agent of Lord Aberdeen. The letters will be edited by Professor E. D. Adams.

The correspondence of Thomas Sloo, jr., printed in the April-June issue of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* (see the October number of this journal, p. 229) bore mainly upon commercial matters in the West in the early years of the nineteenth century; the letters which appear in the July-September issue of that publication are largely concerned with politics, local and national, although the letters give evidence that business and politics really kept in close touch with each other. All but two of the letters were written during the years 1821 to 1827, and most of them are addressed to Sloo. The letters are efficiently edited by Professor I. J. Cox.

Major George W. Rue tells in the October number of the *Ohio Archaeological and Historical Quarterly* how he captured General John H. Morgan; Leslie S. Henshaw gives a descriptive account of early steamboat travel on the Ohio River; and Charles B. Galbraith writes of "The Battle of Lake Erie in Ballad and History".

Indianapolis and the Civil War (*Indiana Historical Society Publications*, vol. IV., no. 9, pp. 525-595), by John H. Holliday, includes, besides an account of the more noteworthy phases and events of the city's history during the period of the Civil War, a chapter descriptive of the early growth of Indianapolis and another concerning the political and religious atmosphere of the Indiana capitol in the ante-bellum period. Volume V., no. 1, of the society's *Publications*, is Lincoln's Body Guard: the Union Light Guard of Ohio; with some personal Recollections of Abraham Lincoln (pp. 39), by Robert McBride. The writer's attitude

toward his recollections is modest, yet the incidents which he records are of real interest.

In the *Indiana Quarterly Magazine of History* for September is a paper by J. P. Dunn on the Proposed Constitution of Indiana, in which the question is discussed from an historical point of view. The same author writes of "Indiana's Part in the Making of the Story of *Uncle Tom's Cabin*". The *Magazine* prints two letters of Salmon P. Chase to Joshua R. Giddings (1842 and 1843), one of Henry Clay to Giddings (1844), and one of Henry George to George W. Julian (1879).

The *Transactions of the Illinois State Historical Society* for the year 1909 (Publication no. 4 of the Illinois State Historical Library) has appeared. The volume contains a record of official proceedings of the society, the papers read at the annual meeting, 1909, contributions to state history, and documents. Among the papers in the volume are: "Efforts to divorce Judicial Elections from Politics in Illinois", by Oliver A. Harker; "How Mr. Lincoln received the News of his first Nomination", by C. L. Conkling; "The Senator from Illinois: some famous Political Combats", by J. M. Davis; "Augustin Mottin de la Balme", by Clarence M. Burton; "The Sieurs de St. Ange", by Walter B. Douglas; "Detroit the Key to the West during the American Revolution", by James A. James; and "The Latin Immigration in Illinois", by B. A. Beinlich. A document of considerable interest is the diary (August 7, 1861, to September 19, 1863) of Edward W. Crippin, a private of the 27th Illinois Volunteers in the Civil War. The diary is edited with introduction and notes by Robert J. Kerner.

Among the contents of the October number of the *Journal of the Illinois State Historical Society* are a biographical sketch of Hooper Warren, spoken of as "the father of journalism in Illinois", by Frank E. Stevens; "Early Religious Beginnings in Illinois", by Rev. R. F. Thrapp; and "The Rev. Simon Peter and the Quarterly Conference: Records of the Salt Creek Circuit of the M. E. Church", by Rev. W. N. McElroy. The department of reprints comprises fifteen pages of extracts relating principally to educational conditions in Illinois in the thirties and fifties.

In commemoration of the fortieth anniversary of the great Chicago fire of October 9, 1871, the Chicago Historical Society has had on exhibition a collection of pictures and relics illustrative of the fire and of the various stages of Chicago's civic development from the frontier village of 1833 to the metropolis of 1871.

The *Register of the Kentucky State Historical Society* for September contains a brief paper by S. M. Wilson on Kentucky's Part in the War of 1812, and prints a letter of Samuel R. Overton, written from Cincinnati September 4, 1812, relating to the war.

The Arthur H. Clark Company have brought out *Old Times on the Upper Mississippi: the Recollections of a Steamboat Pilot from 1854 to 1863*, by George Byron Merrick. The work describes life and industrial conditions on the upper Mississippi during the period, includes a statistical record of the steamboats which plied on the river, and gives an account of the events connected with the opening of Minnesota to settlement. The book is illustrated with portraits, maps, and facsimiles.

The Minnesota Historical Society published in September a quarto report of 761 pages, entitled *The Aborigines of Minnesota*. It treats very fully of the Indian tribes and mounds of the state, and is illustrated by about 500 maps and plates of groups of mounds surveyed in Minnesota, besides many portraits of the Sioux and Ojibways and many illustrations of the stone, copper, and bone implements found in the mounds or of recent use by these tribes. The work was begun by the late Alfred J. Hill, Hon. J. V. Brower, and I. H. Lewis, whose collections and field notes have been classified and prepared for this publication by Professor N. H. Winchell, the former state geologist.

Mr. Jacob Van der Zee contributes to the October number of the *Iowa Journal of History and Politics* a translation (pp. 47) of a pamphlet written in the Dutch language in 1848 and printed in Amsterdam, describing the settlement, in the year preceding, of a group of Hollanders at Pella, Iowa. The writer of the pamphlet was H. P. Scholte, minister and leader of the group, and the title which he gave to his narrative was *Eene Stem uit Pella*. Mr. Clifford Powell contributes to the same number of the *Journal* a history (pp. 35) of the codes of Iowa law.

The Torch Press has brought out as no. 2 of its "Little Histories of North American Indians", *The Iowa*, "a reprint from *The Indian Record*, as originally published and edited by Thomas Foster, with introduction, and elucidations through the text", by William Harvey Miner. The numbers of Foster's *Indian Record and Historical Data* (a short-lived publication) here reproduced were published in Washington in 1876. The elucidations and corrections made by the editor, who is himself a descendant of the Quinapiac Indians of New England, occupy almost as much space as the original text and bring to bear upon the subject the most recent scholarship. The editor contributes also several appendixes, one of which describes the Iowa camping circle, another contains the several treaties between the Iowa and the United States, 1815-1861, and another comprises an "Iowa Synonymy".

Volume III., no. 3 (1911), of the *Missouri Historical Society Collections* opens with an article by Hon. Gustavus A. Fenkelburg entitled "Under Three Flags, or the Story of St. Louis briefly told". Judge Walter B. Douglas presents part 1. of a history of Manuel Lisa, a noted trader of St. Louis at the beginning of the nineteenth century. Bearing the title "The Spanish Forts at the Mouth of the Missouri River" is an account of the delivery of the fort of San Carlos Principe de Asturias

and the block house of Carlos Tercero, in 1769, a document drawn from the Archives of the Indies at Seville. Another document (from the Vallé collection in the society's possession) is a letter of Don Manuel Perez to the people of St. Genevieve, 1791. The Recollections of an Old Actor (a continuation), by Charles A. Krone, possess genuine interest, and for their bearing upon social and intellectual conditions in the fifties, are not without historical value.

The Missouri Historical Society has come into possession of a large collection of papers, the gift of the late Captain Francis Vallé, and of the papers of the late Dr. David Waldo, the gift of Mrs. W. M. Sloan of Kansas City. The Vallé papers include letters of nearly all the Spanish governors, besides many other documents of value, both public and private. The Waldo papers, which pertain to the period 1832-1860, are for the most part private but cast much incidental light on the history of the times.

In its issue of January, 1910, the *Missouri Historical Review* printed the journal of Captain William Becknell of a trip from Franklin to Santa Fé made in 1821. In the issue of October, 1911, is reprinted from the *Missouri Intelligencer* of September 2, 1825, the journal of M. M. Marmaduke of a similar expedition made in 1824. Notes on the journal are furnished by F. A. Sampson. The same writer gives brief accounts of some "Cities that were promised" in Missouri.

The third volume of the publications of the Arkansas Historical Association is just off the press, and the officers are now at work on the material for the fourth volume. This number will contain articles on "The Constitutional Convention of 1874", "Revolutionary Soldiers Buried in Arkansas", and "The Little Rock Conference".

Silver, Burdett, and Company have brought out in their "Stories of the States" series *Makers of Arkansas History*, by Professor J. H. Reynolds.

The Oklahoma Historical Society has come into possession of twelve numbers of the *New Echota Phoenix* of the year 1828. The paper was the official organ of the Cherokee nation in Georgia and was edited by Elias Boudinot, himself a Cherokee. It is printed in Cherokee and English.

The School of American Archaeology at Santa Fé, having acquired as its home the old palace of the governors, built in the early years of the seventeenth century, has restored it into an excellent example of early Spanish-American architecture, with important historic frescoes. Last summer's session of the school was marked by courses in ethnology and in classical, Oriental, and American archaeology. The latter portion of the school period was occupied with observations of excavating work in progress at Rito de los Frijoles. In conjunction with the Bureau of American Ethnology the school has explored the ruins of the ancient pueblos of Amoxiumqué near Albuquerque.

The Quarterly of the Oregon Historical Society for June contains the third installment of Mr. W. C. Woodward's Rise and Early History of Political Parties in Oregon which includes a chapter on the Kansas-Nebraska Bill in Oregon politics and another treating of the national issue as it affected Oregon politics in 1857. In the same number of the *Quarterly* Professor F. G. Young offers the earlier chapters of a History of Railway Transportation to the Pacific Northwest. These chapters relate the history briefly to the year 1850.

An Army Officer on Leave in Japan, by L. M. Maus, is essentially a travel book but contains an account of the Philippine insurrection in 1896-1897 and of the battle of Manila Bay (Chicago, McClurg).

The Precursors of Jacques Cartier, 1497-1534, edited with a helpful introduction by H. P. Biggar, has been issued by the Canadian government as no. 5 of its series of publications of the Canadian archives (Ottawa, Government Printing Bureau). The principal documents of Canadian history for the period are here brought together, printed in the original Latin, Italian, Spanish, Portuguese, and French, followed by translations of all except those in French. Although most of these documents have already been printed the assembling of them in a single volume will be of great help to historical investigators.

George Cartwright's *Journal of Transactions and Events during a Residence of nearly sixteen Years on the Coast of Labrador*, in three volumes, was published in Newark in 1792. The increased interest in what pertains to Labrador, added to the inherent interest of the journal itself, has made its republication worth while. The reprint, bearing the title *Captain Cartwright and his Labrador Journal*, is from the press of Dana Estes and Company and is edited by C. W. Townsend, with an introduction by Sir W. T. Grenfell.

The departments of history and of political and economic science of Queen's University, Kingston, Ontario, Canada, have inaugurated a quarterly *Bulletin*, which will be published first in the *Queen's Quarterly*, then issued separately in bulletin form. The bulletins will embody the result of original work and will be issued by the two departments alternately. The first of these bulletins is a study (pp. 16) of the colonial policy of Chatham, by Professor W. L. Grant.

Volume IV. of the *Transactions* of the Women's Canadian Historical Society of Ottawa contains a sketch, by Mrs. Donald H. McLean, of Sir James McPherson Le Moine, one time president of the Royal Society of Canada, and "Some Facts concerning Trinity Church of St. Johns, New Brunswick, and the Struggles of its Congregation", by Miss Carolina Hill. The last mentioned article is essentially a chapter in the history of the United Empire Loyalists.

Volume III. of the *Papers and Records* of the Lennox and Addington Historical Society (Napance, Ontario) is occupied with sundry papers

of the late Thomas W. Casey, a local historian. Several of these papers relate to early explorations and discoveries, particularly to those of Champlain.

Dr. C. L. G. Anderson, of 918 Eighteenth Street, N. W., Washington, D. C., intends to publish in January a book written by him under the title *Old Panama and Castilla del Oro*, a narrative history of Spanish discovery, conquest, and settlement of the region named and of the events in it until the close of the seventeenth century. The book will be of about 600 pages.

The July-August number of the *Revista Bimestre Cubana* contains the concluding portion of the *Historia de Santiago de Cuba*, by José M. Callejas.

Noteworthy articles in periodicals: Charles Samaran, *Dominique de Gourgues* (Revue Historique, November-December); Henry B. Learned, *The Postmaster-General* (Yale Review, October); R. L. Schuyler, *Polk and the Oregon Compromise* (Political Science Quarterly, September); D. Y. Thomas, *Southern Non-Slaveholders in 1860* (Political Science Quarterly, June); *id.*, *The Free Negro in Florida before 1865* (South Atlantic Quarterly, October); Dunbar Rowland, *Private and Official Papers of Jefferson Davis* (Harper's Monthly Magazine, December); Thomas Nelson Page, *General Lee and the Confederate Government* (Scribner's Magazine, November); G. M. Wolfson, *Butler's Relations with Grant and the Army of the James in 1864* (South Atlantic Quarterly, October); Gamaliel Bradford, jr., *Lee after the War* (*ibid.*); *General Grant's Letters to General Beale*, with introductory note by Stephen Bonsal (Scribner's Magazine, October); James Ford Rhodes, *Cleveland's Administrations* (*ibid.*, October, November); Brig.-Gen. Frederick Funston, *The Capture of Emilio Aguinaldo* (*ibid.*, November).

The
American Historical Review

THE MEETING OF THE AMERICAN HISTORICAL
ASSOCIATION AT BUFFALO AND ITHACA

NO large city except Pittsburgh is so nearly central as Buffalo to the membership of the American Historical Association. Yet the registered attendance at the twenty-seventh annual meeting of the American Historical Association held there on December 27 and subsequent days was less than that which has been usual in recent years, only 214 in fact; but there seemed to be an unusual number of the older members present.

Apart from large attendance, which increases the social pleasure of the members, the chief elements of a successful meeting of the Association are a good programme, a good hotel, with meeting places therein or near at hand, and good weather. Philosophically minded historians may disdain to speak of the weather; as a topic of conversation it is little esteemed; the wisdom of the ancient Egyptians and Babylonians may have arisen solely from their having no weather to speak of. But in the northernmost parts of the United States and in the last days of December the weather has its importance. Gales from Lake Erie prevailed, and transit to meeting places remote from headquarters was not always agreeable; but in the main the weather was bright, and most sessions were held in the headquarters hotel, the Hotel Statler, spacious, convenient, comfortable, and with excellent service. Exceptional meetings at some distance were due to the hospitality of the Buffalo Historical Society, in whose handsome building a luncheon was served, and of the Albright Art Gallery. Other hospitalities, deserving of warm commemoration, were the afternoon receptions by the Women Teachers' Association of Buffalo and the Twentieth Century Club, and the "smokers" offered by the University Club and the Buffalo Club.

The programme proved to be excellent. At first sight it was

evidently composed of the younger element in the Association. But any of the elders who have entertained the opinion that the younger element, however gifted or well trained in research, was indifferent to matters of form and presentation, must have been agreeably surprised at the high level of excellence in all these respects attained by most of those who spoke on the present occasion. It may be hoped that the tide has turned, and that regard for form (*i. e.*, for the hearer or reader) may recover that standing with the students of history which can alone give us historians or invest our profession with public influence.

The sectional sessions were distinctly less successful than the general. From "experience meetings" of workers, vital and engrossing, and sometimes resulting in important forward movements, they have for the most part come to be mere sessions for the reading of short papers, unrelated and undiscussed, and differing from the papers read at the general sessions only by being briefer and less important. Chairmen of conferences should exert themselves to arrest and reverse this process, and to restore real conferences, lively with debate and fruitful in results. This should not be difficult if the right kind of programmes are made, and circulated in advance, in syllabus form, among the right kind of men; for brief conversation with such men in any of these fields shows always that there are plenty of tasks and themes to be jointly considered.

The meeting of the American Historical Association was held in concert with the American Political Science Association. The opening session, begun with an address of welcome by Hon. Henry W. Hill, president of the Buffalo Historical Society, to which the president of the American Historical Association made a felicitous response, was a joint affair, consisting of the annual addresses of the presidents of the two associations. That of Professor William M. Sloane as president of the elder society, entitled "The Substance and Vision of History", was printed in the last issue of this journal. That of the president of the American Political Science Association, Governor Simeon E. Baldwin of Connecticut, formerly a president of the historical society, was on "The Progressive Unfolding of the Powers of the United States", and was marked by historical learning as well as by clear and thoughtful political reasoning.¹

The meeting of Thursday morning took the form of a joint session held with the Mississippi Valley Historical Association, at which four papers were read, grouped under the general title *Some Frontier Problems*. Professor Beverley W. Bond, jr., of Purdue

¹ The text of Governor Baldwin's address appeared in the *American Political Science Review* for February.

University, opened the session with a paper on the Quit-Rent System in the American Colonies, printed on subsequent pages of this journal. Professor D. R. Anderson of Richmond College in Virginia read an interesting and well-written paper on the Insurgents of 1811. After describing the gradual growth of discontent with the Jeffersonian policy and the stagnating effects produced by faction in the last years of his administration and the first portion of that of Madison, he set forth the rise of the new spirit typified by Clay, Calhoun, Grundy, Porter, and their associates. By apposite statistics and quotations he showed how the rapid growth of population in the upland portions of the old states and in the regions west of the Alleghanies gave to this spirit of insurgency in respect to the administration and of belligerency in respect to foreign policy the motive power which carried it on to actual warfare, and contributed to public opinion upon the conduct of the war one of its leading characteristics, an eager desire for the conquest of Canada and for the extinction of danger to the West from British control over the Indians.

In a paper on the Tariff and Public Lands, 1828-1833, Professor Raynor G. Wellington, of the University of South Dakota, showed how the views of the different sections of the country toward the question of the administration of the public domain were determined by their economic interests. The sections which felt most strongly were the West and the Northeast. To further its growth the West desired a low price for public lands. The Northeast with its interest in manufactures opposed this, because such a policy would result in drawing away its laboring population; but to prevent a reduction of the tariff, which might result if large returns went into the treasury because of the maintenance of the existing price of public lands, the representatives of the Northeast proposed the distribution of these proceeds among the states. The attitude of the South was determined by the effect which the policy pursued toward public lands would have on the tariff. Until 1832 the South acted with the West in a more or less close alliance on measures respecting western public lands and against the tariff. But upon the failure of the South to give anything definite to the West on the land question, the West abandoned the South and voted for the tariff of 1832. The South next turned to Clay's party, which offered a lower tariff in the Compromise Bill, but stipulated for a distribution of the proceeds of the public lands.

The last paper of this session was one by Professor Clark E. Persinger, of the University of Nebraska, on the "Bargain of 1844"

as the Origin of the Wilmot Proviso. When the proposal of Texan annexation threatened preponderant southward extension Northern Democrats were frightened into opposition to its annexation, but Northwestern Democrats were willing to bargain with Southern Democrats for a combination of Texas and Oregon issues that should result in the continuation of the old, traditional policy of approximately equal expansion of free soil and slave soil. This bargain was definitely drawn up by a small group of Northwestern and Southern Democratic politicians, and submitted to and ratified by the Democratic convention at Baltimore in May, 1844. Democratic success in the campaign of 1844 was followed by the immediate carrying out of that portion of the "bargain" relating to the annexation of Texas, for which all but a few of the Northwestern Democratic members of Congress voted, these few asserting a Southern Democratic intention of repudiating the "bargain of 1844" when the time should come to provide for the carrying out of that portion of it relating to the reoccupation of Oregon. When the next session of Congress took up the Oregon question, the suspicions of these Northwestern men appeared to prove well founded. The Southern Democrats, under the leadership of Calhoun, opposed the claim to the "whole of Oregon", opposed giving notice to Great Britain of our intention to abrogate the joint-occupancy treaty of 1827, and opposed attempts to establish a free-soil territorial government over the portion of Oregon which we did succeed in obtaining. Accused of a breach of faith in carrying out the "bargain of 1844", the Southern Democrats denied altogether the existence of any such bargain, or denied that they individually had had any hand in it, or else denied that it had applied to the "whole of Oregon". Betrayed and incensed by this "Punic faith", as they called it, of the Southern Democrats, the Northwestern Democrats in August of 1846 proposed the Wilmot Proviso as the only means possible for the restoration of the traditional free-soil and slave-soil balance, for protecting themselves against possible future Southern Democratic "breach of faith", and for "saving the Democratic party of the Northern states" after its betrayal and humiliation through the miscarriage of the "bargain of 1844".

The afternoon of this same day was occupied with three conferences: one in ancient history, of which the chairman was Professor William S. Ferguson of Harvard, one of archivists, presided over by Professor Herman V. Ames of the University of Pennsylvania, and one upon Southwestern history, with Professor Herbert E. Bolton of the University of California as chairman. That relating

to ancient history was especially well attended, and was marked by evidences of great interest. The growth of ancient history into importance as a subject of consideration by professors of history is indicated by one of the striking facts brought forward by Professor Henry B. Wright of Yale, in the course of a detailed report on instruction and research in ancient history in American universities. Whereas twenty years ago the notion would have been scouted, that collegiate courses in ancient history were the concern of any one but professors of Greek and Latin, or that they had any other position than one ancillary to the classics, it was apparent from Professor Wright's figures that the colleges and universities in which courses in ancient history are in the charge of the historical department are now two or three times as numerous as those in which they are in the charge of the classical professors. This is as it should be, and gives a chance that our young people, instead of pursuing the Greek history of the fifth and fourth centuries for the sake of obtaining foot-notes to classical authors, and the Ciceronian and Augustan periods for the same purpose, may pursue Greek and Roman history for their own sakes and with an eye to the ancient period of human history as a whole.

In the programme of the conference on ancient history, the first place was held by a discourse from Professor George W. Botsford of Columbia University, on Laconia in the transition from the Mycenaean to the Hellenic Age.

The historian of Greece, he pointed out, has for some time been confronted with the difficult task of restating the beginnings of Hellenic civilization in conformity with new knowledge furnished by archaeological research. In this task it is necessary for him to discard a multitude of theories proposed by the archaeologists themselves, affecting the relation of culture to race, the character of migrations, the causes of the decline of the Mycenaean civilization, and many kindred subjects, and to seek guidance in the actual experiences of history. In view of the fact that the cultural indebtedness of historical Greece to the Mycenaean (Minoan) Age is demonstrably enormous, it is necessary in the case of any early Greek institution or condition which seems to be the product of a more highly developed, or of a non-Hellenic civilization, to consider at least the possibility of deriving it from Mycenaean sources. Greater importance, too, must now attach to such statements of the ancients as that of Aristotle, *Politics*, 1271 b, 27, to the effect that the Dorians of Lyttos, Crete, adopted the legal institutions of the earlier inhabitants. These and other considerations—particularly the facts ob-

tained by recent explorations in Laconia—lead to the conclusion that Lacedaemonian conditions were largely an offshoot of the late Mycenaean. There can be no serious doubt, accordingly, that the historical Dorians arose from a blending of northern immigrants with earlier Greeks who had already mingled racially with pre-Hellenic aborigines; that, notwithstanding the dialectic studies of Meister, the language, culture, and nationality of eighth-century Laconia were essentially homogeneous; and that the system of social classes (Spartans, perioeci, and helots), the kingly office, the despotic socialism, and important religious cults of Laconia were borrowed in whole or in great part from the decadent Mycenaean civilization.

Later in the same conference, Mr. J. F. Ferguson of Yale read a paper on the Price Edict of Diocletian, discussing the causes for its issue, and illustrating some of the many ways in which it can be used for the culture-history of the time; and Professor Charles Diehl of the University of Paris described in a most interesting manner the development during recent years of Byzantine studies in France.

The third annual conference of archivists dealt mainly with the problem of protecting archives from fire, and with the administration of archives in Canada. Professor Ames, presiding as chairman of the Public Archives Commission, dwelt in his opening remarks upon the necessity in America of insisting upon the safeguarding of archives as the first step in securing adequate provision for them. This point was enlarged upon in an excellent paper by Mr. Arnold J. F. van Laer, archivist of the state of New York, on the Lessons of the Catastrophe in the New York State Capitol at Albany on March 29, 1911. Mr. van Laer pointed out that the conditions at Albany which made the destruction of the archives possible were to be met with in nearly every state capitol in the country and were due mainly to carelessness and neglect—a consequence of partizan control, to overcrowding caused by the demands on space made by the ever-increasing amount of public business, and to the impossibility of making an absolutely fireproof structure out of such a building as a state capitol must necessarily be. As to specific lessons to be learned from the Albany fire Mr. van Laer indicated the need of constant and efficient supervision in any building, no matter how fireproof structurally, that is filled with combustible material, and the necessity of avoiding as far as possible any passages, such as shafts, flues, etc., that serve to extend the flames. He also said that, given a fierce fire, wooden shelves possessed an advantage over steel shelves, in that they allowed their contents to fall to the floor in

piles which would burn but slowly. Bound volumes with wide margins were found to have suffered least and the hand-made paper of earlier days withstood the effects of heat and water far better than the pulp paper of the present. Mr. van Laer described briefly the work of salvage and restoration and emphasized the importance of commencing such operations at the earliest possible moment after a fire.

The next paper was by Professor Jonas Viles, on Lessons to be learned from the Fire in the State Capitol at Jefferson City. Mr. Viles described in detail the events of the fire, the unsuitableness of the capitol as a depository of records, the inadequacy of the means at hand for fighting the fire, and the difficulties of salvage, but stated that in spite of all unfavorable conditions the actual loss of valuable material was surprisingly small. As to practical lessons, taking into account that for many years to come the records of many of the states will continue to be stored in capitol buildings ill suited to the purpose, Mr. Viles emphasized the need of an efficient superintendent of the building with a relatively permanent tenure of office, and of co-operation between the state and local authorities in providing adequate means for fighting fires. The two papers were briefly discussed by Mr. Bernard R. Green, superintendent of the Library of Congress, who spoke especially of the need of constant supervision of collections even in a building that is structurally fire-proof, citing the example of the Library of Congress where a constant patrol is maintained and where fire-fighting apparatus is readily at hand. Mr. W. G. Leland of the Carnegie Institution referred to the great risks to which the greater part of the federal archives are constantly exposed and dwelt upon the necessity of a special archive depot in Washington.

The second part of the programme of the conference dealt with the Canadian archives. Mr. Duncan McArthur of the Dominion Archives at Ottawa traced the history of that branch, described its collections and the work of transcription now being carried on in London and Paris, and told how the archives are utilized both in the transaction of the public business and in historical research, dwelling upon the liberal attitude of the officials in respect to the latter and on their desire to place the archives as completely as possible at the service of scholars. The conference was concluded with the reading of an elaborate paper on the Ontario Archives by Mr. Alexander Fraser, archivist for that province, in which he described the organization and activities of the bureau at Toronto, its relation to other branches of the government and to the Dominion Archives,

and gave a detailed account of its collections, which include not only selected official records but material of all sorts illustrative of the history of the province.

In opening the conference devoted to the study of Southwestern history, the chairman, Professor Bolton, outlined the importance of the Southwest in national and international history, declaring in substance that it offers the richest opportunities afforded by our country for the study of archaeology and ethnology; that as the theatre for two centuries of a contest between Spain and barbarian America, it was the place where Spanish colonial institutions were subjected to their severest test and where they can be most profitably studied; that the continuous international struggle of which it was for the same period a constant scene, makes it a rich field for the study of the colonial and diplomatic history of America; that it played a leading part in the slavery question, the westward movement, and the development of imperialism; and that its recent growth offers ethnic, economic, architectural, social, and intellectual forces and features peculiar to itself.

Two formal papers were read, one by Professor Barker of the University of Texas, the second by Professor Cox of the University of Cincinnati. Professor Barker in his study of Public Opinion in Texas Preceding the Revolution reached the conclusions that slavery played little or no part in causing the revolution, that land speculation retarded it, that down to August, 1833, in spite of the efforts of radical leaders, public opinion opposed a breach with Mexico, and that the conservative element was driven from this position by Mexico's demand for the surrender of radical leaders to military authority for trial and by Santa Anna's intention of garrisoning Texas.

Professor Cox dealt with Monroe and the Early Mexican Revolutionists, studying the careers of José Bernardo Gutierrez de Lara, a representative of Hidalgo, José Álvarez de Toledo, a Cuban, and John Hamilton Robinson, an American adventurer. Monroe as Secretary of State secretly received these men, gave them advice, and some encouragement to form a provisional government for Mexico, but refrained from any act which would compromise the American government. Failing to gain the assistance they hoped for, they turned to filibustering and thus gained the open hostility of the American administration.

In opening the general discussion on the question, What are the Problems and what the Materials for the Study of Southwestern History, the chairman dwelt upon the necessity of extended work

on the narrative history of the region and the publication of great numbers of documents before we can proceed in a satisfactory manner with the study of institutions; asserted that most of the studies hitherto made, based on the texts of ordinances and laws, give no true picture of Spanish colonial government in actual operation; described the great opportunities just opening through the exploitation of the Spanish and Mexican archives, and mentioned many profitable subjects of investigation. Mr. William Beer of the Howard Memorial Library laid emphasis upon the French materials, especially those at New Orleans, while Professor Morse Stephens spoke briefly of the wealth of material in the archives of Spain, calling for the work of a generation of American students. Professor Cox and Professor Barker discoursed upon the opportunities for study of the periods of the Mexican revolution and of the Anglo-Saxon settlement of the Southwest respectively, indicating the nature and location of the materials for such work. To illustrate the need of work, Professor Barker stated that no one had ever yet satisfactorily explained Spain's or Mexico's reasons for the suicidal policy of opening the Southwest to settlement by Americans, and that there is no satisfactory history of Stephen F. Austin, Sam Houston, the Texas Revolution, or the Republic of Texas. The discussion was closed by Professor Justin H. Smith, who spoke of the important questions connected with the border relations between the United States and Mexico after the Mexican War, particularly in their relation to secession movements in northern Mexico and to the Southern Confederacy, materials for which are to be had in the Mexican and our own archives.

The evening session was, according to custom, given over to papers making a more general appeal to those variously interested in history. By an arrangement which was natural in view of the place of meeting, its theme was Canadian history. In a paper entitled "*Canada v. Guadeloupe; an Episode of the Seven Years' War*", which we are later to have the privilege of printing in this journal, Professor W. L. Grant of Queen's University, Kingston, dealt with the pamphlet controversy of 1760-1761 on the question which of the two colonies should be retained at the peace, should a choice be necessary. He described a number of the pamphlets, and showed how the controversy merged into the better known one provoked by Israel Mauduit's *Considerations on the Present German War*.

A paper read by Professor Clarence W. Alvord of the University of Illinois, on British Political Factions and the Policy of Imperial Development, 1763-1774, was an attempt to discover the alignment

of the British political factions upon the policy of the development of the new possessions in western America and East India. In the general introduction, it was shown that there were three distinct attitudes among politicians towards the future of both regions, which may be designated as uncompromising imperialism, moderate imperialism, and anti-imperialism. The first looked in western America to the complete exploitation of the new possessions by immediate colonization and in East India to the assumption by the government of all the new conquests, leaving the East India Company in possession of the trade alone. After thus laying the basis for distinguishing between the policies of the various groups of politicians, the paper took up in order the various factions. Mr. Alvord did not find any grouping of politicians under party banners such as Whigs and Tories, but rather a grouping into factions whose main purpose was the acquiring of office. All these groups, or factions, were offspring in more or less direct line from the Whig party. The court faction alone requires a more careful analysis, and the paper showed that this was composed of very diverse elements: first, independent politicians, generally of Whig traditions; secondly, the representatives of Scotland in both houses of Parliament; thirdly, the king's friends; and fourthly, the Tories. The general conclusion of the paper was as follows: The followers of William Pitt, and those members of the court faction that surrounded the Earl of Bute, were in favor of the most radical imperial policy. The Grenvillites and the followers of Lord North in the court faction were more moderate in their plans, although no less imperialistic in purpose; while the factions of the old Whigs and the Bedfordites, and the most conservative members of the court faction, were anti-imperialistic in their tendencies.

A substantial paper by Professor Cephas D. Allin of the University of Minnesota dealt with the Genesis of the Confederation of Canada. The British American League, whose history formed the main theme of his paper, was the product of an unusual combination of circumstances, political discontent of the Tory party and economic suffering consequent upon the abrogation by Great Britain of the system of preferential duties. The League succeeded in attracting to its membership almost all the disaffected spirits of the day. At its first convention in July, 1849, it adopted the policy of a union of the British American provinces as the principal plank in its platform. Subsequently a conference was held with the Colonial Association of New Brunswick relative to the proposed union, but as the representatives of neither party were prepared to present a definite

plan of union or authorized to draft or accept any such plan, the conference could do nothing more than pass a general resolution in favor of union. At a second convention of the League, the principle of union was again approved, but the attempt to lay down the basis of a federal constitution ended in a sorry failure, partly owing to the lack of time and the weakness of the personnel of the delegates, but mainly owing to the essentially partizan, provincial, and non-representative character of the convention. The League soon after collapsed through the wasting away of its membership. Although the efforts of the League to awaken public interest in the question of federation were apparently fruitless at the time, nevertheless to that organization is due the credit of first bringing the question to the attention of the public. It converted the question of federation from a subject of merely speculative interest into a practical if not popular political issue. The policy of the League was undoubtedly premature, but the seed which was then sown on unfavorable ground soon after sprang up and reaped an abundant harvest in the Confederation of Canada in 1867.

The session was ended by a vivacious and even brilliant address by Professor Charles W. Colby of McGill University, "Apropos of September Twenty-First, 1911", in which with a light touch but with much insight he discussed the reasons for earlier *rapprochements* in commercial matters between Canada and the United States, set forth the causes, in industrial development and in British and Canadian policy, which had given a more national quality to Canadian opinion, and described the reasons for the defeat of reciprocity and the effects of that event on the mutual relations between the Dominion and the United States.

The programme of Friday, the last day of the meeting, was one that might well seem formidable to any member who took seriously the duty of attendance upon meetings—a morning session, an evening session, and in the afternoon three conferences and the annual business meeting. The morning session led the members out to the handsome building of the Buffalo Historical Society in Delaware Park, where papers grouped under the general head of International Relations were read. Of these, that of Professor Archibald C. Coolidge of Harvard, on the European Reconquest of North Africa, will appear in a later issue of this journal.

The paper first read, that of Professor James A. James of Northwestern University, on French Diplomacy and American Politics, 1794-1797, began with the successors of Genet. Their mission, with its continuance of his policy and the dangers incident thereto, had

not, the speaker declared, received the attention which its importance warrants. Like Genet they strove to gain by influence over national legislators and by threatened appeals to the people that consideration for the French cause which they thought not obtainable through the ordinary course of diplomacy. By the summer of 1793, the struggle between the Girondins and the Mountain was over and the period of the Terror was inaugurated. On October 16, the Committee of Public Safety decreed that Genet, who was a member of the defeated party, should be superseded by a commission of four men. No measure of interest to the Republic might be undertaken without the assent of a majority of the commission, but the minister plenipotentiary, Fauchet, was to have the right of initiative in all purely political questions. The paper then treated of the attitude of Fauchet to the embargo of 1794 and his influence in preventing the extension of that measure for a longer period. Among the other problems discussed were the relations of Fauchet to public men; his attitude towards the Whiskey Rebellion and the Democratic Societies; and his attack on the Jay treaty. From the standpoint of diplomacy the mission of Fauchet was a failure, but his course of action, together with that of Adet, his successor, may well be cited among the influences contributing to the triumph of the Democratic-Republican party.

Dr. Charles O. Paullin's paper on the Early Relations of the United States with Turkey gave an account of the attempts made by the United States during the years 1784-1830 to negotiate a treaty with Turkey. It was based chiefly on documents in the State and Navy departments in Washington. It called attention to the interest in a treaty manifested by the Continental Congress in May, 1784, and set forth the work of Rufus King, our minister to England during the years 1796-1803, in behalf of a mission to Turkey, which resulted in the appointment of William Smith, of Charleston, South Carolina, as an envoy to that country. The missions of Commodore William Bainbridge and Luther Bradish, of George B. English, of Commodore John Rodgers, and of Commodore William Crane and David Offley, which were unsuccessful; and the mission of Commodore James Biddle, David Offley, and Charles Rhind, which succeeded, were described. The objects sought by the United States in its negotiations, and finally obtained in the treaty signed in 1830, were: (1) trade with all Turkish ports on the footing of the most favored nation, (2) free ingress to and egress from the Black Sea, and (3) permission to appoint consuls to any Turkish port.

After the luncheon already mentioned as served in the building

of the Buffalo Historical Society, the reading of papers was resumed, in three sections, one devoted to European history, another the annual conference of state and local historical societies, the third occupied with the problems of historical teaching in elementary schools.

The conference on European history, of which Professor John M. Vincent was chairman, opened with a paper by Mr. Theodore F. Jones of New York City, on the Archives of the Venetian Republic and the opportunities they offer for studies in political, diplomatic, and economic history, and one by Professor Roger B. Merriman of Harvard on a manuscript general chronicle of the period of Charles V., by Francisco López de Gomara, unused by historians hitherto, but presenting points of interest.

In further continuance of the same conference, Professor Sidney B. Fay of Dartmouth treated of the Materials for the History of Germany in the Sixteenth and Seventeenth Centuries. His aim was to suggest the opportunities for advanced students to work from printed to manuscript sources on certain topics connected with Brandenburg-Prussia under the Great Elector, and to suggest also the excellent opportunity and the real need for monographs on individual manors showing in concrete detail the conditions of actual groups of peasantry in South and West Germany before the Peasant Revolt of 1525. Of the printed material relating to Brandenburg-Prussia under the Great Elector three collections are accessible in this country, the *Corpus Constitutionum* of Mylius, a body of laws, edicts, and proclamations of the electors, extending to 1738; the *Urkunden und Actenstücke*, still being published, which includes the Great Elector's public and private correspondence, and diplomatic documents of all sorts; and the records of his Privy Council, five volumes, which calendar the proceedings of the Privy Council from 1640 to 1660. From these sources the student can find material furnishing the basis for a biographical, a diplomatic, an institutional, or an economic study. As to monographs on the condition of the German peasants in the fifteenth and sixteenth centuries, the materials for them fall into four classes: the *Urkunden*, the *Urbare*, the account rolls, and the *Weistümer*. Much of this material has not yet been published, but just now Hilliger has undertaken to print all the material relating to the monastery of St. Pantaleon near Cologne. This furnishes a splendid opportunity to the advanced student, and it will doubtless be followed by publications from other archives than those of Cologne.

A paper by Mr. Edwin W. Pahlow of Lawrenceville discussed

Anglo-Dutch Relations in 1671-1672. After an introductory account of the Triple Alliance of 1667 and of the treaty of Dover of 1670 providing for a joint attack on the Dutch Republic by England and France, he showed how, to win the support of his people, Charles II. in 1671 entered into a dispute with the States General over the salute which England claimed for her ships. His demands were presented at the Hague by Sir George Downing, the most famous quarreller of his day. Downing's first memorial so amazed the States that its two weeks' lease expired without bringing an answer, and accordingly he presented his second, demanding a prompt reply. Disregarding the king's instructions to await definitely the States' answer to his memorial, Downing presented his third memorial informing the States General that he was ordered by the king to leave at once. When Charles heard of Downing's action, he feared that the Dutch would either make concessions which he would not dare to refuse, or would send out their fleet, to the great demoralization of England. But the States made such partial concessions as enabled him to drag out the negotiations until he and Louis XIV. were ready to begin the war.

Mr. Albert C. Dudley of the Johns Hopkins University followed with a carefully considered paper on the Religious Persecutions under the Clarendon Code. Basing his statements on manuscript materials in London, especially in the archives of the Society of Friends at Devonshire House, he recast the traditional narrative of the episode by showing the wide difference in the treatment accorded to the different bodies of the Non-conformists. It is expected that this paper will be printed in a later issue of this journal.

The concluding paper of the session, by Mr. Conyers Read of the University of Chicago, on Factions in the English Privy Council under Elizabeth, rested on Dasent's *Acts* and on a wide variety of printed or manuscript materials. Of the seventeen men who constituted Elizabeth's Privy Council in January, 1574, there were seven who were chiefly responsible for her policies. Division in their ranks meant division in the Council. Among these seven Burghley and Leicester were always on opposite sides. While Burghley for reasons of state believed in conformity to a state church he modified the extreme Protestantism of Leicester both at home and on the Continent. To his faction belonged most of the older members of the Privy Council, Sussex, Hunsdon, Bacon, Sir James Crofts, Whitgift, Cobham, and Buckhurst. Opposed to them was a group of younger men, ardent Protestants, led by Leicester, not because of his ability, but by reason of his influence with the queen. In this group

Francis Walsingham furnished the intellectual leadership. Warwick, Bedford, and Knollys were its other members. All the additions made to the Privy Council between 1573 and 1586 belonged to this party, which possessed a dominating influence in questions of government. This faction to some extent mitigated the severity of the persecution of the Puritans, and they labored for many years for Mary's execution. In foreign affairs the influence of the factions is seen in connection with Elizabeth's policy toward the Dutch rebels in 1578, in the question of the Anjou marriage negotiations, in the consideration of the Spanish demand that Drake be punished in 1580, and in further opposition to Spain in the Low Countries. Leicester's expedition to the Low Countries marked the final triumph of the Radical Protestant policy.

The eighth annual conference of historical societies, presided over by Professor L. J. Cox, was held in the building of the Buffalo Historical Society on Friday afternoon with about fifty delegates in attendance. The programme was devoted to the consideration of two principal subjects: historical society buildings, and the work of hereditary patriotic societies. The first paper was by Mr. Clarence S. Brigham, librarian of the American Antiquarian Society, who described the new building of that society and especially the arrangement of its library, which he regarded as a type of modern library construction in its compactness and in its grouping of work and study rooms around a central administrative point. Mr. Frank H. Severance of the Buffalo Historical Society spoke briefly on the requirements that should be met by the offices and auditoriums of historical buildings. He held that the building of an historical society should be useful to as many people in a community as possible; thus it should contain an auditorium of ample size, thoroughly equipped for entertainments and especially for illustrated lectures, and with a stage of considerable depth. The offices should be adapted to the sort of work to be carried on and should contain some place where the quiet essential to historical and literary work may be found. The discussion was continued by Mr. Bernard R. Green, superintendent of the Library of Congress, who declared that such buildings present no special difficulties to the engineer or architect but that the important thing is to have a clear and definite idea of the uses to which a structure is destined in order that the plans may be drawn accordingly. The second part of the programme was introduced with an elaborate and carefully prepared paper by Mr. Harry Brent Mackoy, of Covington, Kentucky, on the productive work of the hereditary patriotic societies, in which he described the

various kinds of historical work accomplished by those organizations. Mr. Mackoy's paper was based upon information obtained by a thorough canvass of the different societies and is not only a valuable contribution to our knowledge of what has been done but may serve as a starting point in planning larger activities. The paper was discussed by Mr. William Libbey, general secretary of the Sons of the American Revolution, by Mr. Barlow Cumberland, president of the Ontario Historical Society, and by Mrs. Charles Bassett, historian-general of the Daughters of the American Revolution. All of these speakers emphasized the necessity of making the influence of the hereditary societies felt in the education of the young, particularly in inculcating high ideals of patriotism and civic morality. The conference voted to continue the committee on co-operation among historical societies with power to secure funds for the completion of the catalogue of documents in the French archives relating to the history of the Mississippi Valley, and also voted to request the Council of the American Historical Association to appoint a committee for the consideration of the historical activities of the hereditary patriotic societies. It was likewise decided that the preliminary report of a committee of the Council on the marking of historic sites, which had been placed in the hands of the secretary upon the dissolution of the committee should, if space were available, be printed as part of the proceedings of the conference.

The third conference of this afternoon, devoted to the consideration of the teaching of history in elementary schools, met in the Albright Art Gallery. Professor Edward C. Page, who presided, gave a brief account of the efforts that had been made and the success attained in making the history teachers' conference a permanent element in the annual meeting of the Association. The specific subject for the present occasion was the Report of the Committee of Eight, which was considered at length and with profit, yet not without that emphasis upon one-sided arguments which is the bane of American teachers' meetings.

Professor J. M. Gambrill of the Baltimore Polytechnic Institute in seeking an answer to the question, Ought the Report to be followed by the Elementary Schools? declared that to a new course four tests should be applied: its relation to the interest and capacity of the child; the child's social and individual needs; the requirements of the subject; and the practicability of getting the course adopted and well taught. Tested by this standard, the purpose of the course outlined seemed wise, its plan sound. One defect in detail could be mentioned. The fourth and fifth grades should be devoted to the

study of stories of European history rather than to American in order to furnish a European background for the work in American history done by the grammar grades. The sixth grade might well be given to a study of the transition from European to colonial life. In spite of this defect he urged that the report be followed.

Miss Julia A. King of the Michigan State Normal College in her discussion of the paper maintained that the object of teaching history was to help the child to understand and participate in the life around him, and that since the material selected by the Committee of Eight for the first four years' work did not do this it was therefore a mistaken choice.

The second paper of the conference was presented by Mr. Carl E. Pray of the Wisconsin State Normal School, who, in considering the question of the best preparation for persons who are to teach the course outlined by the committee, took decided issue with those who would place the emphasis on method. The first essential must always be as many and as thorough courses in history as possible. He showed very briefly how this requirement was being attained in Wisconsin. Miss Sarah Dynes of the State Normal School at Trenton, in her discussion of his paper, told what was being done to prepare students to teach history in New Jersey. This preparation includes a criticism of existing teaching, a demonstration of "real" history study, an examination of various courses of study, and a discussion of the order of procedure in presenting historical material.

In the open discussion which followed Professors Collier of Brown University and Eugene Fair of the State Normal School of Kirksville, Missouri, took issue with Miss King's statement of the aim of teaching, maintaining that history teaching, while doing its part to fit the child for the life of to-day, should also broaden his appreciation of that which is unlike his own environment. Professor Harding of Indiana offered the following resolutions: 1. That Greek and Roman history be omitted in the sixth grade, the course for this grade being too heavy; 2. That the American history now given in the fourth and fifth grades be placed in the fifth grade; 3. That Greek and Roman stories be given a place in the fourth grade. Before the motion was voted upon, Professor Bourne, who was largely responsible for the outline for the sixth grade, explained that the study of American history had been placed in the fourth and fifth grades because of the fact that so many pupils left school at the end of five years. The objection which had been raised, that the work of the sixth grade was too heavy, he thought could be met by confining the study to certain typical features of Greek and Roman

and medieval civilization. Professors J. A. James, A. W. Risley, and J. M. Gambrill urged that no change be proposed in the course until it had been given a longer trial, as it was believed that to make a change now would throw the whole subject into chaos once more. The motion was lost. A committee consisting of Messrs. Carl E. Pray, J. M. Gambrill, W. H. Cushing, and Samuel B. Harding, was appointed to bring about co-operation between the organizations of history teachers in the different sections of the country.

Except for the business meeting, to be described later, the sessions at Buffalo closed with Friday evening's joint session of the Historical and the Political Science Associations. Of the four papers, all devoted to Spanish America, two were historical in character, the other two in the field of political science. Mr. H. W. V. Temperley, fellow of Peterhouse, Cambridge, discussed the Relations of England with Spanish America between 1720 and 1740. His aim was to ascertain the views of England, during that period, on the importance of the West Indies and of connection with Spanish America. The statistics for the period are most unreliable, as are the unofficial pamphlets, the most valuable source of information being the colonial acts of the Privy Council recently published by Professors Munro and Grant. The evidence submitted in the paper was from the private papers of Newcastle, Hardwicke, and Walpole, in the British Museum, and from the despatches of the Admiralty and the Foreign Office in the Public Record Office. The populace of England was interested in the gold they believed could be found in the Indies, the Admiralty urged the fortification of the islands because of their strategic position; their value to the commerce of England was enormous, as through these islands the illicit trade with Spanish America was carried on. This trade was far larger than the illicit trade of either France or the Dutch, and was so lucrative that Parliament was most deferential to the trader. Indeed the main cause of the war of 1739 appears to have been commercial, though at one point in the negotiations with Spain, Walpole and Newcastle, in order to preserve peace, were willing to suppress the illicit trade in the case of private adventurers but would not interfere with that of the South Sea Company. Since the majority of the private adventurers were from the continental colonies this gives us an early illustration of a sacrifice of colonial to English interests.

In a paper entitled *Europe and Spanish America in 1822-1824*, Professor W. S. Robertson of the University of Illinois described the circumstances attending the reception of Monroe's now famous message in Spain, France, and England. In Spain, the message,

which arrived after the restoration of Ferdinand VII. to the throne, did not evoke much comment. Neither did it much influence the reactionary policy of the absolute king, who desired to be King of Spain with the Indies. Monroe's message caused a stir in the journals of Paris, which published reports of it for the first time on January 1, 1824. The administration journal, *L'Étoile*, criticized it. On January 2, 1824, *Le Constitutionnel* defended the message in a remarkable exposition. Whatever influence this state paper exercised in France in favor of Spanish-American independence can hardly be dissociated from the influence exercised by England, which had already declared against intervention by the Continental powers. The London newspapers warmly welcomed Monroe's manifesto, which was published there for the first time on December 27, 1823. The *Times* defended Monroe against the attacks of *L'Étoile*; he was praised by Brougham in Parliament. But Canning objected to the clause of the message adverse to colonization, and asked for an interpretation. In Canning's new-born desire to prevent the hegemony of the United States in America, he reverted to the idea of promoting the establishment of monarchies in Latin America. No contemporary suggestion of the familiar name the "Monroe Doctrine" has been found.

The remaining papers were, as has been said, rather in the field of political science than in that of history. Mr. Philip M. Brown, of Boston, formerly United States minister to Honduras, discoursed on the Difficulties of Diplomatic Relations with Latin America, with chief reference however to Central America.² He emphasized the consequences of mutual ignorance and of differences in habits and thought, and the embarrassments produced by insufficient instructions and local disorders. The policy of the United States toward this group of countries has been based on the principles that American interests must be protected; that European influence must not become too strong; that the obligations of the United States toward the countries of Central America must be fulfilled. But for the working-out of these principles the best efforts will be those employed toward removing the causes of trouble and restoring the union of the five Central American States.

The last paper presented at Buffalo was one by Mr. Henry Gil of the National University of La Plata, in which the author, with incisive phrases and in excellent English, discussed the Latin American Point of View.² His main thesis was that, in view of the diversities of development among the different countries, and the lack

² These addresses appear in the *Supplement to the American Political Science Review* for February.

of common interests, it was vain to talk of a Latin-American point of view as a single thing. Speaking of Argentina in particular, he enlarged upon the independence of its political and economic position, and its consequent indifference to considerations of the Monroe Doctrine or other policies of the United States.

On Saturday morning, December 30, the last day allotted to the sessions, some ninety members made together the journey from Buffalo to Ithaca, where they were entertained at luncheon by Cornell University and had an afternoon session marked by four interesting papers in European history. First, Professor Paul van Dyke of Princeton, upon the basis of a novel manuscript account of the Taking of Calais by Francis of Guise, found in the Bibliothèque Nationale at Paris, and of other evidences, argued for a view in accordance with which the credit of that famous *coup* belongs to the king, who formed the plan in the previous winter and rather forced it upon Guise. The paper which next followed, on the Political Theories of Calvinists, by Professor Herbert D. Foster of Dartmouth, will at a later time be printed in this journal.

Upon this ensued a paper by Professor Charles E. Fryer of McGill University, in which he traced, with the aid of whatever statistics are available in English libraries and archives, the Numerical Decline of Dissent in England previous to the Industrial Revolution. This was followed by the last paper of the annual meeting, one by Professor Edward Raymond Turner of the University of Michigan on Sources for the History of the English Cabinet in the Eighteenth Century. The secrecy of cabinet proceedings and the absence of formal records made a consideration of the sources, he held, particularly necessary. Most important were the informal records kept by cabinet members at different times, for individual use or for the convenience of associates. Some of these could be found in collections of private papers, and others remained in the State Papers Domestic. Next in importance were the diaries kept by cabinet members who recorded their recollections of cabinet business. The correspondence of political leaders yielded allusive information about a multitude of constitutional matters, while something could be obtained from reminiscences, apologies, and confidential explanations. Finally the reports of some of the agents of other European governments could be used to advantage. The pamphlets and newspapers contained some constitutional information, but it was difficult to know how far to trust them. From these sources it seemed possible to write an account of the working and organization of the cabinet.

One of the chief pleasures which the members of the Association

who went to Ithaca had had in mind was that of seeing, and doing honor to, the venerable Doctor Andrew D. White, who in 1884 had been elected as first president of the Association, and who is happily still with us and in good health. For this pleasure an admirable opportunity was provided by his hospitable kindness and that of Mrs. White in inviting the members to their house after the conclusion of the papers. There the president of the Association, in phrases of great felicity and cordial kindness, saluted President White in the name of the Association and spoke just praises of his long-continued services to the cause of history in the United States. The members then listened to an exceedingly interesting address by Dr. White, in which he reviewed the remarkable progress of historical education in American colleges and universities since he began his historical teaching at Ann Arbor in 1857, and gave excellent words of counsel to teachers of history, especially as to addressing themselves most of all to the educating of the average good student rather than to the training of specialists alone.

It remains to give a summary of the annual business meeting, which had taken place on the previous afternoon. The most important new step taken by the Association was the adoption of the *History Teacher's Magazine*, which, though with the same publishers as hitherto and with the managing editorship still in the efficient hands of Dr. Albert E. McKinley, will hereafter be sustained by joint support from the treasury of the American Historical Association and from a body of guarantors, including two regional historical teachers' associations, who pledged themselves to certain contributions through the next three years. An Advisory Board, with Professor Henry Johnson of Teachers College, Columbia University, as chairman, was appointed by the Council of the Association to represent it in the editorial conduct of the journal.

In respect to a meeting place, it was voted by the Association that the annual meeting of December, 1912, should be held in Boston and Cambridge, with the expectation of holding that of 1913 in Columbia and Charleston, South Carolina. The Council announced the membership of the Committee on Programme for that meeting and of the Local Committee of Arrangements, and the membership for the ensuing year of the various permanent committees and commissions. A list of these follows.

Professor George L. Burr, whose term as a member of the Board of Editors of this journal expired December 31, 1911, was re-elected by the Council for a further period of six years, while Professor James H. Robinson was elected to fill a vacancy caused by the resignation of Professor Sloane.

The secretary reported the number of members of the Association to be 2,905. The treasurer reported receipts of \$9,740 in the past year, assets of \$28,439, and a net gain of \$921 to the treasury of the Association. As delegate for the Pacific Coast Branch, Professor Herbert E. Bolton of the University of California read the report of its secretary and treasurer, in which the chief new item was that, because of affiliation with other scientific societies, the time of annual meeting of the Pacific Coast Branch had been removed from November to March or April. From the Public Archives Commission it was announced that a report on the archives of Colorado was expected; that the list of commissions and instructions to colonial governors was ready for presentation, and that that of reports and representations of the Board of Trade was well advanced. The Committee on Bibliography reported that its co-operative check list of some twenty-two hundred printed collections of materials for European history possessed by various American libraries was ready for the press. The Committee on the Bibliography of Modern English History reported gratifying progress made in conjunction with the English committee. The Herbert Baxter Adams prize was, on the recommendation of the appropriate committee, awarded to Miss Louise F. Brown of Wellesley College for an essay on the Political Activities of the Baptists and Fifth Monarchy Men in England during the Interregnum.

Colonel Theodore Roosevelt, first vice-president, was elected president of the Association for the ensuing year, Professors William A. Dunning and Andrew C. McLaughlin vice-presidents; Mr. Waldo G. Leland was re-elected secretary; Professor Charles H. Haskins secretary of the Council, Professor Clarence W. Bowen treasurer, and Mr. A. Howard Clark curator. In the place of Professors Greene and Hill, who had served three terms on the Executive Council, Professors Herman V. Ames and Dana C. Munro were chosen.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL ASSOCIATION

<i>President,</i>	Theodore Roosevelt, New York.
<i>First Vice-President,</i>	Professor William A. Dunning, New York.
<i>Second Vice-President,</i>	Professor Andrew C. McLaughlin, Chicago.
<i>Secretary,</i>	Waldo G. Leland, Carnegie Institution, Washington.

<i>Treasurer,</i>	Clarence W. Bowen, 130 Fulton Street, New York.
<i>Secretary to the Council,</i>	Professor Charles H. Haskins, 15 Prescott Hall, Cambridge.
<i>Curator,</i>	A. Howard Clark, Smithsonian Institution, Washington.

Executive Council (in addition to the above-named officers):

Hon. Andrew D. White, ¹	Professor George B. Adams, ¹
President James B. Angell, ¹	Professor Albert Bushnell Hart, ¹
Henry Adams, ¹	Professor Frederick J. Turner, ¹
James Schouler, ¹	Professor William M. Sloane, ¹
James Ford Rhodes, ¹	Professor Franklin L. Riley,
Charles Francis Adams, ¹	Professor Edwin E. Sparks,
Rear-Admiral Alfred T. Mahan, ¹	Professor Fred M. Fling,
Professor John B. McMaster, ¹	Professor James A. Woodburn,
Hon. Simeon E. Baldwin, ¹	Professor Herman V. Ames,
J. Franklin Jameson, ¹	Professor Dana C. Munro.

Committees:

Committee on Programme for the Twenty-eighth Annual Meeting:

Professor Charles H. Haskins, Harvard University, chairman; Ephraim D. Adams, Frank M. Anderson, Guy S. Ford, Samuel C. Mitchell, Henry B. Wright.

Local Committee of Arrangements: Charles Francis Adams, Esq., Boston, chairman; Professor Archibald C. Coolidge, vice-chairman.

Editors of the American Historical Review: Professor George B. Adams, Yale University, Chairman; George L. Burr, J. Franklin Jameson, Andrew C. McLaughlin, James H. Robinson, Frederick J. Turner.

Historical Manuscripts Commission: Worthington C. Ford, Esq., Massachusetts Historical Society, chairman; Clarence W. Alvord, Julian P. Bretz, Herbert D. Foster, Ulrich B. Phillips, Frederick G. Young.

Committee on the Justin Winsor Prize: Professor Claude H. Van Tyne, University of Michigan, chairman; Carl Becker, Francis A. Christie, J. G. de R. Hamilton, William MacDonald.

Public Archives Commission: Professor Herman V. Ames, University of Pennsylvania, chairman; Charles M. Andrews, Eugene C. Barker, Robert D. W. Connor, Gaillard Hunt, Victor H. Paltsits, Jonas Viles.

¹ Ex-presidents.

- Committee on Bibliography:* Professor Ernest C. Richardson, Princeton University, chairman; Clarence S. Brigham, W. Dawson Johnston, Frederick J. Teggart, George P. Winship.
- Committee on Publications:* Professor Max Farrand, Yale University, chairman; and (*ex officio*) Herman V. Ames, George L. Burr, Worthington C. Ford, Charles H. Haskins, J. Franklin Jameson, Waldo G. Leland, Ernest C. Richardson, Claude H. Van Tyne.
- Committee on the Herbert Baxter Adams Prize:* Professor George L. Burr, Cornell University, chairman; Guy S. Ford, Edwin F. Gay, Charles D. Hazen, Albert B. White.
- General Committee:* Professor St. George L. Sioussat, Vanderbilt University, chairman; Isaac J. Cox, Walter L. Fleming, William L. Grant, S. P. Heilman, Miss Susan M. Kingsbury, Clarence S. Paine, Frederic L. Paxson; and Waldo G. Leland and Haven W. Edwards, *ex officio*.
- Committee on Bibliography of Modern English History:* Professor Edward P. Cheyney, University of Pennsylvania, chairman; Arthur L. Cross, Roger B. Merriman, Ernest C. Richardson, Williston Walker.
- Conference of Historical Societies:* Waldo Lincoln, Esq., Worcester, Mass., chairman; Waldo G. Leland, secretary.
- Committee on the Preparation of Teachers of History in Schools:* Professor Dana C. Munro, University of Wisconsin, chairman; Kendrick C. Babcock, Charles E. Chadsey, Edgar Dawson, Robert A. Maurer.
- Advisory Board of History Teacher's Magazine:* Professor Henry Johnson, Columbia University, chairman; Miss Blanche E. Hazard (to serve three years); Fred M. Fling, James Sullivan (to serve two years); George C. Sellery, St. George L. Sioussat (to serve one year).

THE ESTABLISHMENT OF THE COMMITTEE OF BOTH KINGDOMS

THE Committee of Both Kingdoms contained, says Gardiner, the first germ of the modern cabinet system. This is not to say that the cabinet which evolved out of Charles II.'s cabal had any organic connection with the executive body devised by the leaders of the Parliamentary party in 1644, but it does imply that the earlier organism had functions much like those of the later one. It would be more accurate to describe the committee as a prototype than as a germ. But while in its function and its relations to Parliament it was a prototype of the greater institution it was essentially different in origin and development. The cabinet was a natural outgrowth of the Privy Council. The Committee of Both Kingdoms was the executive expedient of a government that wanted a Privy Council. Its members made to order an institution and, whether they knew it or not, they made it somewhat along old lines. They made over the Privy Council in such a way as to meet particular conditions and a crisis in their affairs. It so happened that these not unskilful experimenters in political construction created a new thing, a thing that much resembled in its form and procedure the still unborn cabinet.

The story of their efforts, of the way in which the committee came into power, forms a not uninteresting chapter in the history of English conciliar institutions and furnishes foot-notes on the involved and subterranean policy of Sir Harry Vane and his friends. It is a story of a series of struggles between the two Houses, struggles in which the Lords were step by step forced backward and compelled to grant the wishes of Vane's willing majority in the Commons.

The history of the committee involves a brief account of the establishment, purpose, and functions of the executive body which preceded it, the Committee of Safety. The Committee of Safety came almost without observation. It was probably more the result of a gradual centralization of committee duties than of a conscious purpose to create an administrative organ of government. A Committee of Seven, often labelled the Close Committee, a Committee of Defense called into being when French invasion seemed imminent, a Committee of Defense occasioned by the absence of Charles in Scotland—these are a few of the bodies which prepared the way for

the more fixed Committee of Safety. They indicate the growing disposition of Parliament to entrust a large part of its power to selected groups.

The Committee of Safety came into being on the fourth of July, 1642. Just how it was constituted cannot be discovered. It is clearly evident, however, from the list of fifteen names that many of the leaders of the Parliamentary party were included. However the group was got together, Pym and Hampden were their leaders, and they were supported by Saye, Pembroke, Holles, Pierrepont, Glyn, and others, men who had gained recognition in the struggle against the king.

The duties of the committee were of two sorts. They were expected to suggest, put into form, and bring before the two Houses, such measures as seemed necessary to them in their executive position, and they were to work out the details and put into operation those policies upon which Parliament had determined. As a body entrusted with initiating legislation their rôle was a minor one, probably of no more consequence than that of the Stuart Privy Council. Their labors in their second capacity, to carry out the details of parliamentary orders, were greater. They were authorized, now to draw up a measure for the readjustment of troops, and again to spend a given sum of money, or to spend as much as they deemed necessary; they were expected to send off messengers of state, to arrest and hold political prisoners, and they were called upon to draft proclamations to the people and letters to the king or to foreign states.

But, however much freedom the two Houses granted to their committee, they never took their eyes off it. At no time during its short career of nineteen months was there any probability that the group would become more than an important committee. No one except perhaps Marten really feared that it would become a powerful council of state.¹ The king might proclaim it on the housetops that the committee had stolen away the powers of Parliament;² the two Houses knew better.

It was the alliance with Scotland that led to the replacement of the committee by a more powerful body. In the summer of 1643, when things looked dark not only at Westminster but in the field, it was determined to seek Scottish assistance. The very fact of an alliance between the two nations presupposed common military

¹ Sanford, *Studies and Illustrations*, pp. 544-545, who quotes from Harleian MSS., 164, f. 1052 B.

² See the king's proclamation, Clarendon, *The History of the Rebellion* (ed. Macray, Oxford, 1888), VII. 141.

action, and common military action of course meant that a way must be left open for some joint control. Upon the scheme for carrying out such control the English leaders had not, so far as we know, formulated a policy. They were willing to let developments take care of themselves. Had things been thus left to take care of themselves, there might have been organized some joint committee for oversight of the war, a committee probably less powerful and less efficient than the already existing committee. It was due to the younger Vane that this did not happen. Vane had been slowly gaining a position among the parliamentary leaders and was soon to step into the place vacated by Pym. However far short of Pym he fell in single-hearted devotion to a lofty patriotic purpose—and certainly he was not altogether unmoved by that motive—Vane had more political finesse and a sharper instinct for manipulation. The Scottish alliance afforded him an opportunity. It is by no means impossible that he had talked over the situation with his associates, Saye and St. John,³ and had an understanding with them before he went to Edinburgh, that the alliance with the Scots was to furnish the *raison d'être* for a new and stronger executive body.

It was in July of 1643 that the two Houses named a delegation of six to go to Edinburgh—Lord Grey of Warke, the Earl of Rutland, Sir Henry Vane, jr., Sir William Armine, Mr. Darley, and Mr. Hatcher. The two representatives of the Upper House failed to go,⁴ and left the four commoners to carry out the negotiations. It goes without saying that of those four Vane was the leader. Vane, remarks Clarendon, was one of the commissioners and therefore the others need not be named. The instructions given by the two Houses to those commissioners were explicit. They were to get the assistance of the Scottish troops in return for large financial inducements, and were to make such religious concessions as would be necessary. In the original instructions issued in the last part of July, 1643, there was nothing said about the establishment of a joint committee, but such a step was rendered possible under the terms of article xvi., which read: "You shall further consider, with our Brethren of Scotland, what other Articles or Propositions may be fit to be added and concluded; whereby the Assistance and Union betwixt the two Nations may be made more beneficial, and effectual for the Security and Defence of Religion and Liberty in both Kingdoms. . . . And you shall certify all such Propositions to the two

³ St. John had but recently been put on the Committee of Safety.

⁴ *Old Parl. Hist.* (London, 1754), XII. 335-336, 339-340.

Houses of Parliament, and thereupon proceed to a Conclusion, as you shall receive further Direction from them."⁵

Whatever the instructions, Vane's negotiations after he reached Edinburgh showed clearly enough what he wished. He was willing to yield many points on religion if he could get a league of the two nations. "The English", writes Baillie, "were for a civill League, we for a religious Covenant",⁶ and both got what they most wished.

By the 17th of August the Covenant had been agreed upon.⁷ By the 2nd of September it had been forwarded to London.⁸ The Covenant proper said not a word about a joint committee of the two kingdoms. It was no doubt clearly understood by both parties to the affair that there was to be a treaty as a sort of codicil. On November 1 the Parliament at London sent their commissioners in Scotland additional and more explicit instructions: "And forasmuch as the two Houses do hold it of absolute Necessity, that Commissioners from the Kingdom of Scotland should be forthwith sent to reside in London, or elsewhere near the Parliament, with sufficient Power and Authority to treat and conclude of all such things as shall be necessary for the Good of the Three Kingdoms . . . you shall therefore, with all Earnestness, press this Article, as that without which the whole Business is like to become very dilatory, if not wholly fruitless."⁹

One naturally asks who was behind these instructions. That question it is impossible to answer with certainty. It may be conjectured, however, that Pym, St. John, and Saye in London had for some time cherished a scheme for joint co-operation with the Scots through commissioners sent to London.¹⁰ This is hypothesis. It

⁵ *Old Parl. Hist.*, XII. 345-346.

⁶ *Letters and Journals of R. Baillie* (Edinburgh, 1841), II. 90.

⁷ *Memoirs of Henry Guthry* (London, 1702), p. 119; Spalding, *History of the Troubles in Scotland* (Aberdeen, 1829), p. 341.

⁸ The commissioners to England sailed August 30, but the Covenant seems to have been sent on eight days earlier and to have reached London by the first of September. *Baillie*, II. 99.

⁹ *Old Parl. Hist.*, XII. 434.

¹⁰ As early as the 8th of October (according to Laing, the editor of *Baillie*, see II. 483) Alexander Henderson, recently moderator of the Scottish assembly, wrote from London to Robert Douglas a letter in which he remarked somewhat incidentally: "If the Army come, there will be a necessity of Commissioners from the State, of which ye will heare with Mr. Hatcher." In other words, Mr. Hatcher, who had been in London since the second week in September, was going back to Scotland, and was to break to them a scheme for joint operation from London, a scheme which was not broached as yet in the Commons or Lords at Westminster for another month. It is impossible of course to say certainly who had devised this plan for commissioners from Scotland. It was not the peace party at Westminster, who were becoming more demoralized every day. The hand of the "violent party", as Holles often called it, is surely to be detected in the

is certain that Vane once having received the instructions of November 1 was able to push to a conclusion the arrangement of the committee.¹¹ It may be accepted as certain that the pressure for the new committee had come from England.

The instructions had been sent from England on the first of November. On the 29th of November the articles of the treaty between the two nations were signed.¹² Only the 8th and 9th articles concern us. In those articles it was provided that no peace should be made by either kingdom or the armies of either kingdom except by the advice and consent of both kingdoms, or their committees in that behalf appointed, who are to have full power for the same, in case the Houses in England or the Parliament or Convention of Scotland were not in session. It was further declared that all matters of difference between the subjects of the two nations "shall be resolved and determined by the mutual advice and consent of both kingdoms, or by such Committees as for this purpose shall

plan, even if the hand was a concealed one. It would be impossible to say how much part Pym had in the matter. He was already a stricken man. It was probably more the work of Vane, St. John, and Saye. The way in which Vane seems to have pressed the matter upon the Scots, after his instructions came, rather supports the theory that he had a finger in the pie from the beginning. (See extract from Carte Papers, LXXX., f. 152, Bodleian, printed in foot-note 11.) There is another fact which may or may not have significance on this point. On the 18th of August, 1643, the English commissioners in Edinburgh wrote to Speaker Lenthall: "Whereas we according to our Instructions have pressed a more firm union and league betwixt the nacons, they (the Scotch) have thought it the most expedient way . . . that there should be a mutual league and covenant drawn for the preservacon of liberty and religion in both nacons." (Baker MSS., XXXIV., f. 430, Cambridge University Library.) This is quite in accord with Baillie's well-known statement, "The English were for a civill League, we for a religious Covenant." It leads us to suspect that the English sought a closer alliance than the Scots were willing to assent to. The contrast of the words "firm union and league" with "mutual league and covenant" may perhaps mean as much as that. If the English aimed from the first at a "firm union", it may be surmised that a scheme for joint commissioners was part of it, and that Vane went to Edinburgh with that plan in mind. But this is conjecture.

¹¹ At a later date when the Scottish commissioners who were to be a part of the joint committee reached London and were compelled to wait for the English Parliament to take action, they sent messages more than once or twice to the Houses requesting haste, and in one of these messages they wrote: "The Committee of the Parliament of England represented to the Convention of Estates of Scotland that the honourable House did hold it of absolute necessity that a Committee or Commissioners from the Kingdom of Scotland should be forthwith sent to reside in London or elsewhere neare the Parliament . . . and that they were commanded with all earnestness to press their article, as that without which the whole business was like to become very dilatory, if not altogether fruitless." Carte Papers, LXXX., f. 152, Bodleian.

¹² Rushworth, V. 485-487.

be by them appointed". Here was the authorization for a joint committee of the two kingdoms.¹³

It was more than three months later that the four Scottish commissioners appointed in fulfilment of this bargain arrived in London. On the thirtieth of January, Crewe rose in the Commons and proposed the appointment of a small committee of two or three members to treat with the Scottish commissioners. Crewe's motion received little attention. It must have been on this very day and the one following that Vane and St. John were in consultation with the newly arrived Scottish commissioners and with their assistance drafted the ordinance that was to be presented.¹⁴ From the short interval of two days¹⁵ that elapsed between the arrival of the four Scotsmen and the passage of the bill in the House of Lords we are forced to conclude that the process of drafting must have been a hurried one, and was perhaps based on a preliminary draft offered by Vane. We shall later see that the bill bore many traces of Vane's handiwork. Yet Baillie who had every facility for knowing the truth claimed for his fellow-countrymen the credit of drawing up the form of the ordinance. It is not difficult, however, to reconcile these views. May we not guess that Vane had formulated clearly in his own mind what he wished but that the northern commissioners were discreetly allowed the lead in the actual framing of the measure?

¹³ It will be observed that while the treaty calls for commissioners to sit during the interim of parliamentary sessions, the Committee of Both Kingdoms is not specifically provided for. It can hardly be doubted, however, that those who framed the articles did look forward to such a body. Burnet and Clarendon both interpret the articles as providing for such a body. Burnet's *Memoirs of the Dukes of Hamilton* (London, 1677), p. 242; Clarendon, VII. 274.

They were so interpreted by the Scottish commissioners after they reached London. In a note which they addressed to the English on the 3rd of April, 1644 (Tanner MSS., LXI., f. 9, Bodleian) they referred to their commissions presented on the 5th of February, wherein they were granted power "to advise and consult with such Committees as the Houses should appoint . . . according to the article of the late Treaty . . . and the invitation of the Houses for our coming hither".

¹⁴ *Baillie*, II. 141.

¹⁵ The Scottish commissioners must have reached London not earlier than January 30. On January 29 "Mr. Cheesely brought News that our Brethren the Scotts were come in" (*C. J.*, III. 380), but he seems to have meant that they had touched port at Yarmouth, for on the next day it was reported to the Lords that "the Lord Lowden Chancellor of Scotland, the Lord Wariston, and Mr. Barclay had come to Yarmouth, and that some members of both houses be sent to meet them". By the 31st they seem to have reached London. On that day the Commons resolved that Lord Warriston should be admitted into the Assembly (the Westminster Assembly). On February 9 the Scottish commissioners in a letter to the Lords wrote: "Ten dayes are now past since our arrival." It is not improbable, therefore, that they reached Worcester House, which was being fitted up for their accommodation, on the afternoon or evening of the 30th. The measure passed the Lords on February 1.

So many changes were made in the form of the bill before it went through that we need not at this point discuss its provisions. One feature in the various drafts, however, throughout the vicissitudes of the debates remained constant. That was the personnel of the body. The membership of such a body was surely a matter upon which the voice of Parliament should have been taken, if upon anything in connection with the ordinance. Yet the names that were inserted in the first conference between Vane, St. John, and the Scottish commissioners remained without alteration to the end of the chapter.¹⁶ It will become clear, when we shall come to examine these names, that in the brief interval when Vane was consulting with the four Scottish commissioners the trains were laid by which the Independents were given a lead in the control of the government. Vane had been forced to yield more than he liked when in Scotland. He had kept a smooth face over it and was awaiting his chance. He had made friends of the Presbyterians.¹⁷ He had quite gained their confidence;¹⁸ indeed his attitude led them to believe that he would easily play into their hands. The four men who came from the north were prepared to find in him a ready ally. Baillie in writing from London to Warriston in Scotland had urged the "upcoming of a Committee from our Estates" and expressed the confident belief that if a well-chosen body were on the ground they would get the guiding of the affairs "both of this State and Church".¹⁹ He had insisted that Maitland should be one of the committee and had exulted in the attention received by that lord in London.²⁰ It would not have been at all surprising then that Warriston, Maitland, and the two other Scottish delegates should have gone to the English capital confident of their ability to dominate the situation.²¹ It would have been altogether in character for

¹⁶ This is not the place to enter into a detailed study of what those names stood for. It may be suggested that in this particular selection of men are to be found some of the causes that made possible the Self-Denying Ordinance and the final victory of the Independents over the Presbyterian party.

¹⁷ *Memoirs of Denzil Holles* in Maseres's *Select Tracts*, I. 198. There is abundance of other evidence to show that Vane was at this time persona grata with the Presbyterians in Scotland.

¹⁸ Baillie, II. 117, 133, 135-136, 146.

¹⁹ Baillie, II. 106.

²⁰ Baillie, II. 107, 485.

²¹ Alexander Henderson, one of the Scottish members of the Westminster Assembly, wrote from London to his friend Robert Douglas in Edinburgh on the 3rd of November, 1643, as follows: "There is no visible means under heaven for their (the Presbyterian party's) delivuerance and your safety, but . . . 2. That there be a godly, honest, wise, and active Committee sent hither; which is much desired by the English, who are perplexed and wearied, and know not what to doe, and will be content to be directed by them in all affaires." Baillie, II. 484. Holles

Vane that he should have given them reason to believe that they were pulling the wires of state. But it was not the Scottish commissioners who named the twenty-one English members of the joint body. Sure as they were of themselves and of their ability to control things, they did not understand the English situation. They knew and trusted Vane²² and his friend St. John.²³ It may be conjectured that they would easily accept suggestions of names from them.²⁴ Indeed a study of the list of names will make it evident that the Scots did very readily—too readily they must have later realized—accept suggestions. It was to be expected that the members of the Committee of Safety should have been taken over at least in large part to make up the new committee. It was of course practically impossible to include all of the former committee, for that body had during the course of its existence been enlarged from the original fifteen members to over thirty-five. That the original fifteen should have been retained was certainly to be looked for. As a matter of fact most of those left were retained. Yet there were important changes. Five names were necessarily omitted from the new list. Hampden and Pym were gone. Nathaniel Fiennes's adventure in the west had made further activity on his part impossible. Marten had been imprisoned for rash words. Lord Holland after looking both ways had jumped somewhat tardily to the king's side. There still remained ten names. Of these original members all but three were nominated for the Committee of Both Kingdoms. Those three were the Earl of Pembroke, Sir John Meyrick, and Holles. A comparison of these names with the names of those who were not on the earlier committee and who were added shows how the preponderance of Presbyterians was changed to a preponderance of Independents. The Earl of Pem-

wrote (Maseres, I. 198): "Those creatures of theirs whom they sent Commissioners into Scotland . . . represented the state of affairs to that Parliament as being directly contrary to what it was, endearing their own party to them. . . . With which prejudice of us the Scots were strongly possessed, at their coming-in about January, 1643, and were in England some time before they were disabused."

²² Whom Baillie denominated "the sweet man, Mr. Pym's successor". *Baillie*, II. 133.

²³ Baillie's letters, as has been observed, show this trust very clearly. Baillie was in constant touch with the four Scottish commissioners in London. He retained the utmost faith in Vane as late as April 2. By the middle of that month he was beginning to realize the force of Independent opposition, but he does not mention Vane until September 16 when it is evident that he has been completely disillusioned. See vol. II., pp. 230, 236-237; see also Holles in Maseres, I. 202.

²⁴ Holles wrote (Maseres, I. 198-199): "To that purpose a Committee of the two Kingdoms must be appointed for uniting the Counsels . . . In packing whereof, and keeping-out some persons whom our Masters did disaffect, they used such juggling as never was hear'd-of before in Parliament."

broke was never a man of strong religious convictions but his general alignment with the peace party and the anti-Vane wing of the Lords makes us suspect that in 1644 he was reckoned more nearly a Presbyterian than anything else.²⁵ Meyrick was avowedly a Presbyterian and Holles had been the most active Presbyterian in the Commons.²⁶ While the Presbyterian party was weakened, the Independents were strengthened not a little. Oliver Cromwell, Robert Wallop, and Samuel Browne, all of them Independents, were put on Vane's list. Cromwell, it is true, would be in the field most of the time and hence unable to take part in the deliberations of the committee. But the other two, although neither of them was prominent in Parliament, were to be very regular members of the new committee.²⁷

The growing power of the Independent party in the new com-

²⁵ Clement Walker (*History of Independency*, 1648, p. 46) speaks of Pembroke as one "whose easie disposition made him sit for all companies". See also Clarendon, VI. 399; VIII. 245. His friendship with Essex (*ibid.*, VIII. 243) makes it probable that he leaned towards the Presbyterian party. See also *ibid.*, X. 123. It is to be observed also that he stuck to the Presbyterian group who remained in the Upper House on July 30, 1647 (*L. J.*, IX. 358). Moreover he was one of the Committee of Safety appointed by the Presbyterian party and as such was attacked by the Independents. (Clement Walker, pp. 52, 58.)

²⁶ A Presbyterian name almost equally important with that of Holles was that of Clotworthy. It does not appear—so far as the evidence at hand goes—that he was ever on the Committee of Safety either at its origin or later. Baillie, speaking of the establishment of the Committee of Both Kingdoms (II. 141), tells us he was "put off it" along with Holles. It is possible that he had been a member of the Committee of Safety and was dropped. It is more likely, however, that Baillie means merely that he was slated for the new committee and upon deliberation was left off. As one of the prominent men in the Commons and a Presbyterian closely associated with Holles and Stapleton he would naturally have been considered for such a place, and the fact that he was not included fits in with the actual exclusion of Holles and Meyrick.

²⁷ This comparison, however, of the new committee with the original Committee of Safety is perhaps not altogether fair, because that first committee had been so largely increased during its nineteen months of life. The Earl of Salisbury, who was a close friend of Pembroke's and whose sympathies and associations in 1644 would not have laid him open to the suspicion of Independency, had been added to the Committee of Safety, but his name was not to be found in the new group. The same was true of the Earl of Lincoln, who throughout the course of the Long Parliament stood steadfastly by the Presbyterian party. On the other hand it must be observed that Manchester, a recognized Presbyterian, had been put upon the Committee of Safety and was continued upon the body that replaced it. And the same may be said of John Lord Robartes, though his rôle was much less important than Manchester's. But it is to be noted too that Lord Wharton, a deeply-dyed Independent, had been added to the Committee of Safety and was retained in the Committee of Both Kingdoms. A better case could perhaps be made for the shift towards Independency if the lesser names among the added members of the Committee of Safety were examined. But this is not worth while. In the matter of these additional members, Presbyterian and Independent gains and losses are pretty well balanced.

mittee appears more clearly when an examination is made of the situation in the last days of the Committee of Safety. During the last six months of the Committee of Safety that impetus had been given to the Independents which rendered them leaders in establishing and directing the new executive body. Three of that party came to the fore so rapidly and worked together so effectively that they may well be called the Independent triumvirate. St. John had been added to the Committee of Safety in August, 1643, and was to be retained in the committee that succeeded it. Lord Saye and Sele had been an original member of the first body and had always been a figure in the councils of the Long Parliament, but he was now beginning to take a leading part. Pym's death had removed a leader, averse to Independency, and left a gap which, as has been seen, the younger Vane, whose influence had been on the ascendant, was seeking to fill. His name had been among the earlier names added to the committee.²⁸ The Independent party was on the way to become powerful before the ordinance for the Committee of Both Kingdoms was drawn up, and the personnel inserted in that measure was calculated to give it a permanent hold on affairs.²⁹

This can be more easily seen from a review of the names in the new body. Of staunch Presbyterians there were only six on the committee, Essex, Manchester, Waller, Robartes, Stapleton, and Glyn.³⁰ Of those, five would be away in the army a large part of the time. Warwick was mildly Presbyterian in his sympathies; Crewe may be reckoned on the same side.³¹ About Gerard and Sir William Armine it is very difficult to be sure. Armine perhaps leaned towards Independency, Gerard was perhaps a Presbyterian.³² But the Independents could count Saye, Wharton, Haslerigg, St. John, Cromwell, the two Vanes, and Pierrepont, as men fixed in their persuasion while the Earl of Northumberland, Wallop, and Browne were inclining the same way. And of these eleven only two were likely to be much away from the committee on account of

²⁸ *C. J.*, II. 758.

²⁹ Sir Arthur Haslerigg, who was to be exceedingly influential when he was in London and whose Independency was never questioned, was added to the Committee of Safety in November, 1643. *C. J.*, III. 299.

³⁰ Manchester, Robartes, and Waller never appeared at the committee during the first three months of its sessions.

³¹ Gardiner, IV. 253, note. See also Rushworth, VII. 1355.

³² It may be suspected that later at any rate Armine was inclined towards the Independents. His election to the Council of State in 1648-1649 (*C. J.*, VI. 141) and in 1651 (*C. J.*, VI. 532) makes it probable that he inclined towards the Independents. As for Gerard, it is hard to determine his position from the evidence at hand, but his expulsion at Pride's Purge (Rushworth, VII. 1355) makes one suspect that he was a Presbyterian.

military service. Under these circumstances it was not probable that an aggressive Presbyterian policy would ever be pursued.

It must not be supposed that all Vane sought was to give the Presbyterians a better hand. He must in the choice of names have had two other very definite ends in view, ends which he would have been at less pains to conceal from the Scottish commissioners. Consistently opposed to negotiations for peace and distrustful of the leadership of the Lord General, he found in the choice of members for the committee an opportunity. The year 1643 had not been a fortunate one for the advocates of peace with the king. The overtures of Parliament had met with little favor at his hands. The peace party had no longer a constructive programme to offer. It had moreover been thoroughly discredited and silenced by the discovery of Waller's plot. Yet some of its members were not without hope of a future accommodation. The deaths of Pym and Hampden had meant the loss of two leaders who aimed day in and day out at vigorous prosecution of the war. There was a real danger that some political and military chance might throw power back into the hands of the peace party, and open to them the opportunity of trying negotiations again, negotiations which might lead to terms little short of disastrous. It was well to guard against such a possibility. And Vane did so. Pembroke, Salisbury, and Holland, all had urged peace. In the Lower House the voice of Holles had again and again been raised for accommodation. It is hardly open to doubt that Sir John Meyrick had been on the same side.³³ Their names were not found on the roll of the new committee, although all of them unless Holland might very fairly have been included. Of all the twenty-one English members not more than four³⁴ could be denominated as thoroughgoing friends of peace, Pierrepont, Crewe, Glyn, and Essex. And the first two of these were soon to prove themselves less thoroughgoing in their desire for reconciliation with their sovereign.³⁵ Of the four, two were men who by virtue of their official position could not well be omitted. Certainly the peace party would have had cause to complain.

The supposition that the strength of the peace party was consciously reduced in the new committee fits in perfectly with another theory, that Vane sought by his nominations to put into the new

³³ Lord Robartes's associations and later attitude would lead us to suspect that he was a member of the peace party but there is no evidence that he was influential in that party.

³⁴ Northumberland had been favorable to negotiations and was still to take a leading part in them, but his enthusiasm had cooled.

³⁵ Clarendon, VIII, 248.

body a group of men unfriendly to the Lord General. There had been a growing dissatisfaction with Essex throughout 1643. Pym, realizing how necessary it was to keep the support of Essex and his friends in the Upper House, had exerted himself to the utmost to smooth things over. But Pym's death had put things into the hands of leaders more restive, less anxious to conciliate the Upper House, and less fearful of the consequences in case they did not. As early as the last part of January, 1644, Baillie had noted a bitter conflict between Vane and St. John on the one hand and "Stapleton, Mr. Hollis and others, of the Generall's partie"³⁶ on the other side. It will later be seen that the friends of Essex believed that the committee was to prove a limitation of his power and fought it at every step. The debates that followed proved clearly that Vane understood quite as well as the friends of Essex what the effect would be on the Lord General. It is incredible that his distrust of Essex and his desire to curb him should not have affected his selection of names for the new committee. This would account quite as well as his opposition to peace and to Presbyterianism for the omission of Holles, Pembroke, and Salisbury from the new committee.³⁷

It is really not a matter of importance whether Sir Harry was influenced by his opposition to the peace party or by his distrust of Essex or by his desire to overreach the Presbyterians. The point is that the friends of the peace policy were in general the friends of Essex, and that they were also Presbyterians. Whatever Vane's chief end may have been, the result of his manipulation was three-fold. The Committee of Both Kingdoms would oppose efforts for accommodation, it would watch Essex carefully, and in good time it would prove a stumbling block to the Presbyterians and a support to the Independents.

It was not to be expected that the Scottish commissioners in those hurried consultations should realize all these purposes, if purposes they were. It was indeed important that they should not. But with one of his aims Vane would find the Scots thoroughly sympathetic. It is clear enough from Baillie's letters that the Scots were already distrustful of Essex.³⁸ It may be readily conjectured that Vane when in Edinburgh did not strive to alleviate that distrust. It is an equally probable guess that when the Scottish commissioners reached London, they were so eager to check the Lord

³⁶ *Baillie*, II. 136.

³⁷ Stapleton was not left off, but to have omitted all of Essex's friends would have been too obvious. Furthermore Stapleton had been generally opposed to the peace party.

³⁸ *Baillie*, II. 81, 118-119.

General that when Vane suggested possible members of the new committee who would be likely to oppose Essex, they would readily fall in with his nominations. These conjectures are confirmed by the speed with which the matter was arranged. It has been already observed that the ordinance was drawn up and the names inserted within two days.

The measure was then brought before the Lords. Responsible as Sir Harry had been for its inception and for its shape, he was shrewd enough not to father it in Parliament. It was wise to arrange not only that a scheme which was to throw so much power into the hands of his friends should seem to emanate from others, but that it should be introduced first into the Upper House. Which of the peers was the actual mover is a matter of doubt. Gardiner inclines to assign that rôle to Lord Saye and Sele but this opinion is hardly well supported.³⁹ It cannot be doubted, however, that he looked after the bill in the Lords. Whoever was responsible for the introduction of the measure into the Lords, it was rushed through in such a manner as to leave no doubt that it had able and adroit supporters. In some way the measure was so managed as to be proposed and voted upon without much consideration.

On the first of February the bill, apparently in exactly the form in which it had been drafted, was passed through the Lords and sent down to the Commons. The measure referred to the covenant and treaty between the two countries, declared that nothing could be more advantageous to the purpose of the treaty than that the affairs of both kingdoms should be managed by the joint advice and consent of both nations, and named fourteen commoners and seven lords who were to advise and consult with the Scottish commissioners, and who were officially given power together with them "to order and direct whatsoever doth or may concern the managing of the war, keeping good intelligence between the forces of the three king-

³⁹ Gardiner based his opinion upon a statement in the *Mercurius Aulicus* (for the week ending February 17). *Aulicus* says that some of the opposition "voted the Lords should discover who were the first authors of this new Committee; which upon exact scrutiny in the Lords House appeared to be the (late) Lord Say and in the lower House Master John" [St. John]. Now *Aulicus* is clearly referring here to the chief supporter of the measure and not the mover. St. John was undoubtedly a "first author" of the measure in the Commons, but we know from D'Ewes that Crewe was the mover in that House. It is quite possible that while Saye fathered the bill in the Lords, he caused some one else to move it. There is a mysterious statement in Baillie about this matter. *Baillie*, II. 141. The phrase there, "my Lord Say, upon new occurrences, being somewhat of the generall" is a bit cryptic, but it seems best to interpret it as meaning that Saye was the leader in pushing the measure through the Upper House. If this be right, Baillie confirms *Aulicus*.

doms, and whatsoever may concern the peace of his Majesty's dominions, and all other things in the pursuance of the ends expressed in the said Covenant and Treaty". It will be seen that the ordinance was exceedingly general and left open to the committee great possibilities. The clause "whatsoever may concern the peace of his Majesty's dominions" was a loophole large enough to suit the ambitions of a group far more aggressive than the committee with all its manifold activities was ever to prove. But stranger even than this was the omission of a time limit. The measure looked towards a long future.

The bill was taken up in the Commons on the third of February, two days after its reception from the Lords, and furnished an afternoon's warm debate. So far as can be gathered from a very little evidence the Commons felt it a breach of privilege that the members of their House who were to serve on the committee were to be named by the Lords. But this was by no means the only ground of criticism. It was suggested that some of those named were very young for such responsible places.⁴⁰ Whitelocke treated the subject historically and compared the plan with the Provisions of Oxford in the time of Henry III. and with the plan in the reign of Richard II. to turn over the power of Parliament to a small body, neither of which conferred power so unlimited as this ordinance.⁴¹ Reynolds made the same objection,⁴² and in a second speech pointed out that most of the members of the proposed body held positions in the army and would be able to continue the war so long as they wished to fatten their purses.⁴³ This brought Vane out from cover with a demand that Reynolds should be "questioned" by the Commons, but he was voted down.⁴⁴ It was evident not only that the opposition to the measure was strong but that the body of the House was infected with suspicion of it. A substitute measure whereby the Commons named their own members and the Lords likewise was discussed but was finally laid aside.⁴⁵

Things were going very badly for Vane's plans, but he was quick to try another tack. A committee was appointed who were to join with a committee of the Lords to receive from the Scottish commis-

⁴⁰ This account is based on D'Ewes's and Whitacre's diaries for February 3. D'Ewes's is Brit. Mus., Harl. MSS. 166, and February 3 is f. 7; Whitacre is Add. MSS. 31,116, and February 3 is f. 113.

⁴¹ Whitacre, February 3, f. 113.

⁴² *Ibid.*

⁴³ *Ibid.* Also *Merc. Aulicus* for the week ending February 10, 1644.

⁴⁴ *Ibid.*

⁴⁵ Whitacre, February 3.

sioners "what they have to communicate".⁴⁶ In this way perhaps the Commons could be brought to see their duty. The commissioners from the north presented their credentials and asked that "some of both Houses might be appointed to advise with them".⁴⁷

It was no doubt in answer to this request that the Commons appointed a new committee with John Crewe as chairman.⁴⁸ The committee acted with great promptness. On the seventh of February they were able to make report. The report indicates clearly that Vane and St. John had been quite as active on the new bill as on the Lords' ordinance which the Commons had rejected. The Committee of Both Kingdoms was to consist of exactly the same fourteen commoners and seven lords. The difference was this, that now the Commons were suggesting the names from both Houses where the upper body had named the members before. It is not in the least surprising that the list—already rejected—should in this new form have aroused criticism. There was a strong demand in the Lower House that the names of the commoners should be filled in by the Commons in session, after the measure had been sent to the Lords and the seven peers had been chosen there.⁴⁹ The matter was put to a vote and the committee's form of the ordinance with the names of the commoners all lumped together as in the original ordinance sent down from the Upper House, was passed by a majority of sixty-five to fifty-one.⁵⁰ This was followed by a resolution that the Commons should name the members of the Upper House who were to be put upon the committee, after which a resolution nominating the seven peers formerly named was passed.⁵¹

The Commons' form of the ordinance was much more carefully drawn than the form presented to the Lords. Vane and St. John had learned wisdom from the severe running fire of their opponents in the House and the new edition of their measure was framed and carefully worded to meet all the serious objections without sacrificing the end to be gained. The committee, in its negotiations with the Scots was only to propound what it might receive in charge from

⁴⁶ *C. J.*, III. 387. This committee was made up of Stapleton, Holles, St. John, Sir Walter Erle, Pierrepont, Sir Arthur Haselrigg, the two Vanes, Whitelocke, Glyn, Reynolds, and Sir Robert Harley. Reynolds was perhaps placed on this committee as a representative of the opposition in the hope that he might be influenced by the representations of the Scottish commissioners.

⁴⁷ D'Ewes's Diary, February 5, f. 8.

⁴⁸ *Ibid.*, February 7, f. 9. Crewe on the 30th had proposed a committee of two or three to join with the Scots.

⁴⁹ *Ibid.*

⁵⁰ *C. J.*, III. 391.

⁵¹ After the list had been secured a viva voce vote was graciously allowed on each of the fourteen commoners. *C. J.*, III. 391; Whitacre, February 7.

both Houses and it was to report results to both Houses. It was to "advise, consult, order and direct, concerning the carrying on and managing of the War for the best Advantage . . . and likewise with Power to hold good Correspondency and Intelligence with foreign States: And further to advise and consult of all things in pursuance of the Ends expressed in the late Covenant and Treaty". There were provisions, however, that the committee should not treat of the cessation of arms without express directions⁵² and that it was to observe such orders as it should receive from Parliament and that it was to continue for three months and no longer. All the twenty-one members were named in the bill.⁵³

The measure after some discussion was passed and sent up to the Lords on the eighth.⁵⁴ It was to be expected that the Upper House would be in no hurry to take the Commons' bill after their own measure had been so summarily rejected. That there might, however, on that account be no delay the Scottish commissioners were brought again into action. They wrote to the Commons urging haste, who forwarded their letter to the Upper House. The Lords, however, were not easily hurried. A committee of six peers⁵⁵ went over the measure, recommended that more of the Upper House be added to the proposed body, and suggested six new members, four of whom were to be the four members of their own committee not already included in the proposed body.⁵⁶ The quorum they raised from six to nine. But the most telling change was the alteration of the words "order and direct" to "consult and advise". This was to draw the teeth of the measure. The Commons refused to yield a jot,⁵⁷ and in a conference urged the danger of delay. The Upper House now agreed to give up all the changes it had demanded except the alteration of the words "order and direct".⁵⁸

And now the real animus behind all this strife began to be revealed. It cropped out clearly in a statement Mr. Prideaux made in a conference that if the committee were not appointed the war

⁵² A provision that the "violent party" as well as the peace party were no doubt willing to have inserted. It was the one feature of the measure that seemed to John Vicars worth mentioning when he spoke of the measure in his *God's Arke Overtopping the Waves* (1646), p. 147.

⁵³ *C. J.*, III. 392.

⁵⁴ *Ibid.*, 393; *L. J.*, VI. 416.

⁵⁵ Of these only two, Northumberland and Manchester, were among those named in the ordinance.

⁵⁶ *I. e.*, Denbigh, Salisbury, Lincoln, and Pembroke. Lord Howard was also to be added. Thus five members of the former Committee of Safety were to be added to the Committee of Both Kingdoms.

⁵⁷ "We not liking the 6 Lords they had nominated." Whitacre, February 10.

⁵⁸ *C. J.*, III. 397-398.

would be carried on without the two Houses.⁵⁹ In other words the want of such a council was giving the Lord General, Essex, too great a power. It is hardly too much to say that by this time the lines were pretty clearly drawn between the friends of Essex and those who distrusted his leadership. His friends recognized that the new committee was directed against him and his opponents virtually admitted as much. There is some evidence indeed that the Lord General had been so far angered by the efforts to limit his power that he had threatened to resign.⁶⁰ It can easily be seen that most of the Lords would be out of sympathy with the effort to curtail his influence in the war, and it is clear that his following in the Commons was not inconsiderable. His friends urged and with some force that to put over him a committee was to bind his hands in such a way as to prevent the best results,⁶¹ and that it would utterly discourage him.

These points were indicated rather clearly by the reply of the Lords to the Commons.⁶² But Sir Harry was ready for them. He was willing for the moment at least to be conciliatory. If the Lord General, he declared, dissented from the views of the committee, it was in his power to send them the reasons for his refusal to obey them.⁶³ It may be doubted whether Vane was altogether sincere in this statement.⁶⁴ He would have been unwilling, it may be suspected, to have had his words inserted in a resolution. It was a cardinal point of his policy that the Lord General should be kept firmly under control. In his zeal to pass his measure he was probably guilty of saying more than he meant. He went on to move a special committee to prepare reasons why the Commons must stand by the words "order and direct". The committee was voted and retired for a few minutes when Vane, who must, says D'Ewes, have had the reasons all made out before, returned to the House⁶⁵ with

⁵⁹ *L. J.*, VI. 423; see also *C. J.*, III. 398.

⁶⁰ *Merc. Aulicus*, for the week ending February 17. Of course the evidence of the Oxford organ on a point of this sort must not be taken too seriously. It would, however, have been strictly in character for Essex. See *e. g.*, *L. J.*, VII. 300.

⁶¹ D'Ewes, February 12, f. 11 (verso).

⁶² Manchester and Northumberland, both of whom were named to be on the committee, seem to have supported Essex in this affair.

⁶³ D'Ewes, February 13.

⁶⁴ Baillie wrote (II. 141) that the opposers of the measure for the committee "did work on the facilitie of the Generall, deaving him with demonstrations of his limitation and degradation by this Committee".

⁶⁵ D'Ewes, February 13. In this document he emphasized the danger of delay if the Lord General should wait to consult with the Houses. It was assumed that the Lord General ought never to act independently.

the report and moved that the question be put. To this there was at once vigorous but useless opposition. Vane's friends, "knowing that they had the great number of Voices joyned with them", kept calling for the question⁶⁶ and easily carried the vote that the Lords should again be informed that the Commons could not accept their amendment. Vane, who had ceased to be reticent, was to head the conference with the Upper House.⁶⁷

The Lords were now weakening. They decided to make a compromise with the Commons. On the recommendations of the Lord General himself, who reported from the committee in charge of the matter, they promised to agree with the Lower House on the words "order and direct" if the proposed committee were authorized to continue for six weeks⁶⁸ instead of for three months. But the Commons had not the slightest intention of coming half-way. By the Lords' scheme the ordinance would continue "untill the Lord Generall's army were recruited and . . . then the power of ordering and directing would be resumed to the Lord Generall alone".⁶⁹ The Commons stuck firmly to their own form of the ordinance and insisted that the Lords should pass their measure, urging the dissatisfaction of the Scottish commissioners at the delay. On the 16th of February the Upper House gave in⁷⁰ and passed the ordinance in the form demanded.⁷¹

⁶⁶ D'Ewes, February 13.

⁶⁷ The Commons offered in conference elaborate reasons why they could not accept the Lords' suggested alterations. *L. J.*, VI, 425-426. Briefly they took the position that the Lord General's power was not abridged, because the final power of ordering and directing the war belonged to the two Houses and it was this reserve power of the Houses that was now delegated to the committee.

⁶⁸ D'Ewes, February 14, f. 12; *A Perfect Diurnal*, February 12 to 19; *The True Reformer*, February 10 to 17.

⁶⁹ Whitacre, February 16, f. 116 (verso).

⁷⁰ Of the surrender D'Ewes remarks (February 13): "And soe in the issue of a few dayes after to the admiration of many men, the Lords receded from their own Unanswerable reasons and submitted to the house of Commons, and the Lord Generall did hereby receive much discontent and discouragement."

⁷¹ The surrender of the Lords seemed more of a concession than it really turned out to be. Not until a fortnight later did it become known that two days before they finally yielded to the pressure of the Commons they had passed a resolution designed to minimize the importance of their concession. They had declared and put it upon their minutes that "notwithstanding any Order or Direction given by that Committee of Both Kingdoms, the Lord General might have power to dispense therewith if he saw cause and appeale to a further direction of both houses". Whitacre's Diary, March 1, f. 120. In the Journals (*L. J.*, VI, 426) the resolution read, "when the Lord General at any Time receives Directions from the Committee appointed by both Houses of Parliament . . . if he see Cause to the contrary, he may suspend the Execution thereof, until he have acquainted both houses of Parliament therewith". As a matter of fact this

The Lords had been forced to their knees. Essex was under the orders of a committee none too friendly to him, a committee that would push the war with vigor. The Independent clique at Westminster had made a start on their career of political victories. Most important of all, the complex affairs of a great war were to be administered by a central and efficient executive body. Space forbids telling the story of the three struggles that followed before the committee was finally and fully accepted. The oath of secrecy was rejected by the Lords in March, but passed in July. The effort on the part of the peers to refer the negotiations of peace with the king to a new committee was foiled and the Committee of Both Kingdoms was given charge of the negotiations. Finally, when the three months' time limit was expiring, the question of the renewal of the committee provoked a bitter war between the two Houses, a war in which the Lords were finally outwitted by a clever ruse on the part of Vane and St. John, and the committee was continued with increased power.

In all these struggles the alignment was pretty much the same. Vane could count on a narrow majority in the Commons and the Lords were forced in prolonged conferences to yield point after point. That spirit of compromise which we associate with English character was foreign to Sir Harry. He had his utmost will. The committee was put entirely in charge.

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resolution was never of any practical importance in any issue between the Lord General and the committee, but it revealed the real cause of the Lords' long hesitation and it served greatly to irritate the Commons and to bring on an *impasse* in March over the question of secrecy.

THE QUIT-RENT SYSTEM IN THE AMERICAN COLONIES

ONE of the most distinctive features of English land-tenure in the sixteenth and seventeenth centuries was the quit-rent. This customary charge upon the soil was naturally included in a colonial land system that was modelled after English precedents. But in establishing the quit-rent in the New World important problems were presented. In England it was the result of a gradual evolution; in the American colonies it was imposed as an initial charge upon a new soil. From this inherent difference arose many problems of effective collection and enforcement. The comparative isolation of the colonies from the mother-country, and the independent tendencies of the inhabitants, expressed through their representative assemblies, increased these difficulties. Inevitably the quit-rent system became involved in the numerous economic and political problems of the colonial era.

The quit-rent was a survival of feudalism. During the Middle Ages the villeins of England gradually commuted their food and labor dues to an annual money payment which came to be known as a quit-rent, because by it the land was freed from all feudal dues except fealty. This quit-rent became an annual fixed and heritable charge upon the land, and created a socage tenure.¹ The statute *Quia Emptores*, the scarcity of labor resulting from the Black Death, and the fall in the value of land due to the rise of trade and industry, accelerated the process of converting the varied feudal dues into fixed quit-rents, and by the beginning of the sixteenth century money rents had become general.²

The imposition of the quit-rents in the American colonies emphasized their relation to the mother-country as fiefs of the crown. The feudal notion of land-tenure, that the soil belonged to the crown, who either collected the feudal dues, chiefly in the form of quit-rents, or else transferred this right to the proprietors, was carried to the New World. This feudal notion may be traced in all the early charters. At first the right to reserve a quit-rent was not

¹ Vinogradoff, *Villainage in England*, pp. 291-292 and 306-307.

² Finlason, *History of Laws of Tenure of Land in England and Ireland*, p. 54; Pollock, *Land Laws*, p. 72. It is interesting to note the early commutation of the feudal dues into quit-rents in the palatinate of Durham, whose form of government furnished the model for the proprietary provinces. *Victoria County History, Durham*, II. 183.

emphasized. The patents to Sir Humphrey Gilbert, Sir Walter Raleigh, Sir Robert Heath, and the Council of New England merely granted the land, to be disposed of as the patentees pleased.³ This general provision was construed as conferring the right to reserve quit-rents by both Sir Humphrey Gilbert and the Council of New England.⁴ The charter of Virginia, which gave all landholders direct tenure under the crown, made a quit-rent possible when the land was finally distributed.⁵ With the gradual tightening of imperial control the feudal relation of the colonies to the crown, as indicated by the quit-rents, was made more definite. Beginning with the grant of Maryland in 1632, and including those of Maine, the Carolinas, and Pennsylvania, the proprietary charters expressly transferred the right of the crown to reserve a rent. Also, by waiving the statute *Quia Emptores*, they permitted subinfeudation. Quit-rents were mentioned in the grants to the Duke of York, and still later, in the charter of Georgia, by the reservation of a rent of 4 shillings per 100 acres.⁶

The theory that the crown held a feudal ownership in the soil of new possessions was not confined to the thirteen American colonies. In the grant of Newfoundland in 1637 to the Marquis of Hamilton and his associates a proprietary control, involving a quit-rent, was created.⁷ A further extension of the feudal theory of land-tenure was made when the proclamation of 1763, which framed the governments of Quebec, East and West Florida, and Grenada, provided for a quit-rent system as a sign of the royal supremacy.⁸ A similar policy was observed in the British West Indies, where the land was granted to proprietors who collected quit-rents, or else bore a quit-rent charge payable directly to the crown.⁹ In fact, the quit-rent was a part of the general colonial policy of the British crown, and was not a charge imposed upon the colonies along the Atlantic sea-

³ Thorpe, *Constitutions and Charters*, I. 49-50, 54, and 70; III. 1834.

⁴ Osgood, *American Colonies*, I. 10-11; *American Antiquarian Society Proceedings*, 1867, pp. 97-105.

⁵ Thorpe, VII. 3789; Bruce, *Economic History of Virginia*, I. 556ff.

⁶ Thorpe, II. 771; III. 1633, 1638, and 1641; V. 2749-2750, 2768, and 3042.

⁷ *Cal. of St. P. Col.*, I. 260.

⁸ *Annual Register*, 1763, pp. 208-212.

⁹ The crown reserved a quit-rent in Jamaica and the Caribbee Islands. The old Providence Island Company also imposed a quit-rent. The Bermudas Company does not appear to have reserved rents, though after the cancellation of the charter the royal governor was instructed to take measures to fix the rents in its possessions. In Barbados and the Leeward Islands the four and one-half per cent. export duty was in lieu of all rents. *Cal. of St. P. Col.*, I. 228-229 and 429-430; V. 114-115; IX. 349 and 501; XI. 664; XII. 270; XV. 416.

board only. As a means of emphasizing imperial control its success became of the utmost importance.

I.

The first breakdown of the quit-rent system occurred in New England. The Council of New England reserved a quit-rent in all of their earlier grants, including the first patent to Plymouth.¹⁰ But by transferring all their rights in the soil of Massachusetts Bay and Plymouth colonies to the respective corporations in 1629, the Council wrote the doom of the quit-rent system in their remaining possessions.¹¹ Though the associates of Plymouth and Massachusetts Bay might have established quit-rents, no definite steps to carry out such a plan were taken. Apparently there were no permanent quit-rents in the Plymouth colony, and few, if any, in Massachusetts Bay. In both colonies public opinion opposed a quit-rent, and in 1650 the Body of Liberties, by forbidding all feudal incidents, effectually barred the quit-rent system from Massachusetts soil.¹²

The establishment of free tenure of land in Massachusetts must be held to have been largely responsible for the failure of the quit-rent system in other parts of New England. This influence was a noteworthy factor in thwarting the elaborate scheme of Gorges to found a feudal state in Maine. When his government failed, his quit-rent system also collapsed. In 1664 his grandson attempted to collect rents in Maine, but with little success.¹³ Finally, the purchase of all rights in the soil by Massachusetts secured free tenure of land in Maine. The influence of the free land-tenure of Massachusetts was felt in New Hampshire also. Though John Mason apparently made no efforts to collect rents from his colony,¹⁴ his heir attempted to enforce his rights in 1661.¹⁵ Such bitter opposi-

¹⁰ *Am. Ant. Soc. Pro.*, 1867, pp. 98ff. The first Plymouth patent, which imposed a rent of 2 shillings per 100 acres, payable after 7 years, was made out in the name of John Peirce, trustee. Taking advantage of the wording, Peirce took out a second patent in 1622 which would have made the Plymouth colonists his personal tenants. The Council, however, declared this latter patent void as far as the Plymouth colony was concerned, and asserted that the settlers were its own tenants. *Ibid.*, pp. 91-92; *Mass. Hist. Soc. Col.*, fourth series, II, 158-163.

¹¹ Thorpe, III, 1844 and 1848.

¹² The lease of land at Pocasset to Captain Benjamin Church cannot be termed a quit-rent, since it was not perpetual, but for one year only. Yet it shows a tendency toward a quit-rent. Osgood, I, 428.

¹³ Williamson, *History of Maine*, p. 282; *Maine Historical Society Collections, Documentary History of Maine*, VII, 343-350; *Prince Society Publications*, XIX, 196.

¹⁴ *Ibid.*, XVII, 74.

¹⁵ *Ibid.*, p. 49.

tion arose that little was accomplished. A more determined effort was made in 1680, and Governor Cutt was instructed to bring about an agreement between Robert Mason and his tenants. Mason, himself, came as secretary of the province. His agents caused general uneasiness, threatening to sell the lands of all persons who did not comply with his demands, and the Council finally appealed to the king. The agitation was revived in 1683 when the governor issued a notice that, unless new grants which included a quit-rent were sued out within one month, all further right of appeal to the king would be forfeited. A number of suits were brought to oust landholders who refused to pay rents but no definite results were secured.¹⁶ Mason sold his claims to Samuel Allen, and they were finally dropped.¹⁷

The fatal mistake, if a system of quit-rents was to be established in New England, had been made in the terms of the land patents of Massachusetts Bay and Plymouth colonies. Once the people of any one colony were allowed to institute a free tenure of land, the quit-rent in adjacent territories was doomed. Wherever the Massachusetts colonists went, they carried with them a spirit of opposition to any perpetual charge upon the land. This opposition spread to the Connecticut valley. When George Fenwick considered the imposition of a small rent charge upon lands at Saybrook, he found that the colonists would not permit it. With deep irony, he revealed the New England spirit of independence: "We must all here be independent and supreme lords of our own land."¹⁸ Reflecting this temper, the freemen of Connecticut and Rhode Island secured charters with provisions guarding against any future imposition of quit-rents.¹⁹

Despite the former failure, the British government included quit-rents in the scheme for bringing New England under more stringent imperial control. Accordingly, the instructions to Andros required the reservation of a quit-rent in all future patents in New England.²⁰ Maintaining that the annulment of the charter invalidated all titles to land in Massachusetts, Andros required a quit-rent as a condition of all renewals. Immediately there arose an indignant protest against this attempt to establish a general system of rents. A number of writs of intrusion were issued and many persons, frightened by these proceedings, sued out new patents which included a quit-

¹⁶ *Ibid.*, pp. 111 and 120-122; Thorpe, IV. 2450.

¹⁷ Palfrey, *Compendious History of New England*, III. 320-321.

¹⁸ Transcript from Barrington Letters, Egerton 2648, f. 1, Conn. Hist. Soc.

¹⁹ Thorpe, I, 536; VI. 3221.

²⁰ *N. Y. Col. Doc.*, III. 545.

rent. But popular indignation refused to tolerate such proceedings. This attempt to impose quit-rents upon estates which had for so many years paid no such charge, was cited by the men of Boston as one of the grievances justifying the revolution against Andros.²¹

The failure of the quit-rent system in the New England colonies was a potent factor in stirring up opposition in New York, and also in East Jersey where there was a large Puritan population. The very attempt of the crown to re-establish quit-rents in New England was probably in part a recognition of this influence. Perhaps this same influence even spread to Pennsylvania, though here local conditions, also, militated against the effectiveness of the quit-rents. In Maryland, however, and the Southern colonies, the quit-rent system became firmly rooted during the colonial period. Doubtless a most potent factor in securing this result was the closer reproduction of English local institutions in these colonies than in those farther north. With the county and the parish, the quit-rent was accepted as the customary form of land-tenure.

Even in the colonies where the quit-rent system became established many influences were at work to prevent its complete success. The amount of the rent could be only nominal for, if the burden became too heavy, settlement would be retarded. Then the constant interference of the landholders, through their representative assemblies, with the quit-rents caused frequent clashes between two opposing points of view. The proprietor wished to obtain the greatest actual returns from the rents; the tenants were determined to reduce the burden or even to evade it. On the whole, these difficulties were more apparent in the colonies in which the rents were paid to the crown—New York, Virginia, the Carolinas after 1729, and Georgia—than in those in which the rents were paid to proprietors—the Jerseys, Pennsylvania, and Maryland. Yet in all the colonies important problems were necessarily involved in working out a quit-rent system on a new soil and at a great distance from the overlord.

II.

The difficulty of establishing a quit-rent system largely determined the amount of the annual rate. The rents varied in the different colonies, usually between 2 shillings and 4 shillings per 100 acres with a tendency to reach, but rarely to overstep, the latter rate. Where a uniform rate was established in the early days of settlement, and where few changes were made in the rate, the system was most successful. This was true especially of Maryland and Vir-

²¹ *Prince Society Publications*, V. 16-17 and 143; Palfrey, III. 529-530.

ginia. In Maryland a quit-rent of 2 shillings per 100 acres, which was reserved in practically all the early patents, was increased in 1671 to 4 shillings per 100 acres for all subsequent patents.²² In Virginia a rent of 1 shilling per 50 acres, reserved in 1618, continued throughout the colonial era.²³

On the other hand, the effect of varying rates with frequent changes was seen in Pennsylvania. Before 1713 the usual rent was 1 shilling per 100 acres, but on lands patented after 1719 the rent was increased to 2 shillings per 100 acres. In 1732 the rent to be reserved in new patents was fixed at one halfpenny per acre, and in 1768 at one penny per acre. In addition many special rates were made for various purposes. The rents varied from such mere tokens as a red rose, an Indian arrow, or a bushel of wheat, to several shillings per 100 acres.²⁴ This confused policy was largely responsible for the unsatisfactory collections in Pennsylvania. Conditions were even worse in New York. The few rents under the Dutch were merely nominal, and the early British governors made little effort to found a uniform rent system. Frequently only mere signs of feudal tenure were reserved, such as one beaver skin annually for the great Mohawk grant. After 1710 a rent of 2 shillings 6 pence was reserved in all new patents, but the large holdings at nominal rentals greatly impeded collections.²⁵

An intercolonial influence, which kept the rents in all the colonies near a general level, was especially noticeable in North Carolina. In 1669 the original rent for the Carolinas, one halfpenny per acre, was increased to one penny per acre.²⁶ Already Sir William Berkeley had signed a number of grants on the northern borders with a rent of 2 shillings per 100 acres, the usual rate in Virginia. Though these patents were confirmed, the proprietors of the Carolinas ordered that all future grants must pay the customary rate in the Carolinas. The people of North Carolina refused, and rather than lose intending settlers, the proprietors assented to the lower rate. After the purchase of the proprietary rights by the crown in 1729 a rent of 4 shillings per 100 acres was reserved in both the Carolinas.²⁷ This rate was eventually extended to Georgia. At first the trustees of Georgia had attempted to burden the land with an exorbitant rent of 20 shillings per 100 acres. This rate was impossible in view of the

²² *Maryland Archives*, III. 47-48; V. 63-64.

²³ Bruce, *Economic History of Virginia*, I. 556ff.

²⁴ Shepherd, *Proprietary Government in Pennsylvania*, pp. 34 and 37-38.

²⁵ Osgood, II. 39-40; *N. Y. Col. Doc.*, IV. 392; V. 83 and 179-180.

²⁶ Thorpe, V. 2755 and 2785.

²⁷ *North Carolina Colonial Records*, I. 172-176 and 237-238; III. 144.

low rents in South Carolina, and formed one of the chief causes of the economic distress in the colony. After the surrender of the colony to the crown the rate in South Carolina, 4 shillings per 100 acres, was promptly put in force.²⁸

Few exemptions from the quit-rents were allowed. The general policy was to guard carefully the rights of the crown or the proprietor in the soil, and some form of rent was almost invariably charged. The most noteworthy exceptions were lands used for public purposes in East Jersey, Pennsylvania, and the Carolinas.²⁹ Rents were occasionally waived in both Maryland and Virginia in order to secure settlers on the western frontier as a protection against the French and Indians.³⁰ Yet the results were only moderately satisfactory.

Special rates were sometimes instituted for definite purposes. This was done by Maryland on lands under dispute with Pennsylvania, and by New York on the New Hampshire grants.³¹ In neither case were the results satisfactory in securing recognition in disputed lands. By far the most important instances of special rates were those inaugurated to encourage the building of towns. In Maryland, lots in St. Mary's, the first town projected, were offered free of rent, but in 1683 a special rent of one penny per acre was imposed upon all town lots.³² In Virginia, however, only the usual rent, 2 shillings per 100 acres, was reserved on town lots. As an inducement to improvements the law exempted from rents, land filled in for quays and wharf-space.³³ Other colonies established special rates for town lots, but nowhere was the amount of the rents from this source large. In South Carolina the rents on town lots were even waived as not worth the trouble of collection.³⁴ The comparatively few instances of special rates, or of exemptions, indicate an unmistakable policy to create a uniform quit-rent system within each colony. Such a policy was most important as securing better collections, and, above all, more effective imperial control.

III.

After the determination of the amount of the quit-rents, the next important problem was the inauguration of adequate schemes of col-

²⁸ *Georgia Colonial Records*, III. 412; Jones, *History of Georgia*, I. 487.

²⁹ *N. C. Col. Rec.*, I. 91-92; Thorpe, V. 2544 and 3044.

³⁰ Instructions, 1749, Proprietary Papers, Md. Hist. Soc. MSS.; *Md. Arch.*, XXVIII. 25; *Virginia Magazine of History*, XII. 346; *Dinwiddie Papers*, I. 370.

³¹ *Md. Arch.*, V. 54-55 and 63-64; *Documentary History of New York*, IV. 574.

³² *Md. Arch.*, III. 47-48; VII. 613.

³³ Hening, *Statutes at Large*, III. 412.

³⁴ Trott, *South Carolina Laws*, p. 543.

lection and enforcement. Though the working out of a scheme of collection was properly the prerogative of the overlord, the assemblies frequently interfered. This tendency, however, was notably absent in Maryland where an excellent system of collection under direct proprietary supervision was one of the main features of the most successful quit-rent system in the American colonies. As established in 1733 this scheme provided for a collector in each county who was directly responsible to proprietary agents. By careful supervision of all accounts and the discharge of inefficient agents, the proprietors of Maryland were enabled to secure highly satisfactory returns.³⁵ In the neighboring province of Pennsylvania were seen the results of interference by the assembly, and of unbusiness-like methods on the part of the proprietor. No adequate rent-rolls were ever made out, nor did the proprietor exercise sufficient authority over the receiver-general; consequently the system of collection was never satisfactory.³⁶

The ill effects of popular control of the rents were shown most markedly in the colonies where they were collected by the crown. In Virginia attempts to establish an effective system of collection involved a long struggle for control between the governor and the office-holding class. In the earliest days of the colony the treasurer or his deputy collected the rents; later the sheriffs assumed this duty. Many abuses attended such a scheme of collection by officers, themselves usually landowners, who sided with the tenants rather than with the crown.³⁷ Attempting to secure more control over collections, Governor Spotswood proposed a scheme which, while reducing the commission allowed the sheriffs, offered inducements to tenants who paid their rents directly to the receiver-general. This plan was forced through the council in spite of the bitter opposition of the office-holding classes, led by Colonel William Byrd.³⁸ The ultimate failure of this measure to secure the desired results showed that the only way to secure an effective system of collection was to appoint collectors who were directly responsible to the governor. The continued opposition of the office-holders, represented by the council, defeated this last reform, and the old abuses continued. As the sheriffs were under no adequate supervision, they became exceedingly careless. One particularly reprehensible individual settled

³⁵ *Md. Arch.*, XXVIII. 54 and 67-68.

³⁶ Shepherd, pp. 38-44; Miller, *Charters and Acts of Pennsylvania*, pp. 31-33; King's MSS. Transcripts, no. 206, p. 237, Library of Congress.

³⁷ Bruce, *Economic History of Virginia*, I. 557 and 562-563; *Spotswood Letters*, II. 21-22.

³⁸ *Spotswood Letters*, II. 265-269; Ludwell MSS., II. 15, Va. Hist. Soc.; Bassett, *Writings of William Byrd*, pp. lvi and lviii.

for many years on the basis of a roll which he never altered. His successor found that the names of many persons who had been dead for years were listed, while many large landholders had never been entered.³⁹ Such abuses were frequent and were the result of the failure of the governor, the natural guardian of the royal interests, to secure proper control over the rents.

The effects of popular control over the rents were accentuated in the measures for their enforcement. While the assemblies allowed distraint upon personal property, they exhibited a strong opposition to forfeiture of the land as a penalty for failure to pay the rents. In Virginia this attitude was forcibly shown after Governor Spotswood had secured a law which declared the land forfeited after three years' failure to pay rents. In response to popular opinion the assembly soon annulled this measure by prohibiting any forcible means, except distraint, for the collecting of rents.⁴⁰ A similar incident in South Carolina threatened at first to cause serious difficulty. The proprietors attempted to require from all patentees an agreement to forfeit the land if the quit-rent became six months in arrears. When the tenants refused their assent to this condition, they were informed they could leave the province. The controversy which followed was brought to an end by a compromise measure passed by the assembly which required that distraint, only, should be employed in collecting the rents. The independent tendencies of the people were again exhibited in 1731 by a law which excepted from distraint so many classes of property that this penalty was rendered practically impossible.⁴¹

Occasional recourse to the courts to collect the quit-rents by suit usually failed, for the juries would side with the tenants against the proprietor. This method was a signal failure in Pennsylvania, largely owing to the bitter controversies between the proprietor and the people.⁴² In New York the tenants openly boasted that no country jury would enforce the rents. Governor Hunter met this braggart attitude by subpoenas to the chancery court, and many persons were compelled to pay their arrears. But so great was the popular uproar that later governors returned to the old, ineffectual system of collecting delinquent rents by distraint.⁴³

The reluctance of the assemblies to permit forfeiture of the land

³⁹ King's MSS. Transcripts, no. 206, pp. 36off., Library of Congress.

⁴⁰ *Spotswood Letters*, II. 265-269; Hening, IV. 41, 79-80, and 491.

⁴¹ Smith, *South Carolina as a Royal Province*, p. 29; Trott, *S. C. Laws*, 45ff. and 544-559.

⁴² Shepherd, pp. 38-39; Miller, pp. 31-33; Franklin, *Laws of Pennsylvania*, 1739, p. 207.

⁴³ *N. Y. Col. Doc.*, V. 499 and 848; VI. 4-5.

rendered practically impossible the enforcement of rents on unimproved tracts. This problem of the quit-rents was therefore closely connected with the effective organization of the land system in each colony. It was a general policy of the crown to render unprofitable, by the enforcement of rents, the holding of large unimproved tracts. Yet popular opposition usually frustrated such efforts even when the necessary measures had been secured. Numerous land frauds added to the large arrears of rent. For example, many persons held by fraudulent surveys more land than their patents called for, while the failure of others properly to register grants frequently prevented adequate rent-rolls. Whenever the governors attempted to remedy such conditions, they encountered bitter opposition. Where the land-office was well organized, and the governor persisted, a few reforms resulted. But, on the whole, the victory lay with the tenants.

The effect upon the rents of a badly organized land system may be traced in nearly all the colonies. In Virginia, especially, great losses resulted from large grants which had never been patented, and, consequently, were not entered upon the rent-rolls. Attempting to remedy this situation, Governor Spotswood secured a law which permitted any one to patent, on one year's notice, land that paid no rent. For a time the effect was good, but the law was easily evaded. Finally, it failed so completely that Governor Dinwiddie found fully 1,000,000 acres, which had been taken up by survey, but had never been entered upon the rent-rolls.⁴⁴

In South Carolina extensive land frauds caused much loss in the rents. Often patented lands were not listed in the rent-rolls. Also many persons held more land than their patents called for. Henry McCulloh, who was sent as special commissioner to secure the payment of rents, induced the assembly to pass a measure in 1744 which was designed to remedy these conditions. But by inserting measures which practically destroyed the force of the law, the assembly plainly showed the temper of their constituents. The old evils continued, and on the eve of the Revolution no adequate rent-roll had been made out in South Carolina. The receiver-general confessed that, had he not held office for twenty-five years and thus known the people, he could not have collected any rents at all.⁴⁵ Great losses in the quit-rents of New York were caused by vast unimproved tracts that were held at only a nominal rental.

⁴⁴ Blathwayt's Journal, Transcript, II. 349-350, Library of Congress; Sainsbury Abstracts, IX. 131-132, Va. State Library; *Dinwiddie Papers*, I. x.; Henning, III. 529.

⁴⁵ Thorpe, V. 2785; Smith, *South Carolina as a Royal Province*, 57ff. and 67ff.; *South Carolina Acts of the Assembly*, May 29, 1774; King's MSS. Transcripts, no. 206, pp. 525-526, Library of Congress.

On other large holdings no rent at all was paid, nor were the efforts to remedy the situation successful. In 1701 owners of unimproved tracts in Albany, Westchester, and Richmond counties were called upon to pay their rents, or else have their unenclosed lands entered upon. But popular opposition greatly hindered the success of this measure. The subdivision of many of these tracts by numerous sales added to the difficulties in collecting rents. Many persons feared that owners of single shares might be called upon for the rent of an entire tract. Finally the assembly provided for the partition of all joint holdings, except village commons. Unfortunately this law held the freeholders of each town responsible for the rent of a delinquent tenant, and though provision was made for reimbursement, this last clause stirred up great opposition. A few lots were offered for sale under its provisions but the popular opposition proved too strong, and the governors feared to enforce the law, owing to its bad effects upon frontier settlement.⁴⁶

The spirit of opposition that hindered the enforcement of the quit-rents was occasionally manifested in open hostility, especially in the middle colonies where the influence of New England was chiefly felt. Of all the colonies, outside of New England, East Jersey most bitterly and most successfully opposed the quit-rents, and of the people of East Jersey the most determined were the immigrants from New England who settled on the Monmouth and Elizabethtown patents. Claiming that the title to their lands rested upon Indian grants which had been confirmed by the governor of New York, they refused to recognize the right of the proprietors to reserve a quit-rent upon their holdings.⁴⁷ The Monmouth patents were speedily brought under proprietary control, but the more determined associates of Elizabethtown would neither pay rents nor sue out new patents. In face of the energetic policy of the proprietors the active opposition collapsed. Yet the actual returns from the rents showed little increase, for the proprietors had to depend upon the assemblies, which represented the popular attitude, for measures of enforcement. When Willocks was sent in 1697 to receive the rents, the troubles broke out afresh. Finally, the proprietors surrendered the government of the province to the crown, though they still retained their rights in the soil.⁴⁸

As governor of East Jersey, Lord Cornbury was instructed to

⁴⁶ *N. Y. Col. Doc.*, V. 11 and 653-654; VII. 486-487 and 900-901; Livingston and Smith, *Laws of New York*, I. 46-47; II. 63-72.

⁴⁷ Tanner, *Province of New Jersey*, pp. 36, 39, and 59-60; *New Jersey Archives*, I. 45.

⁴⁸ Tanner, pp. 63 and 79; *N. J. Arch.*, I. 170-171.

secure an act from the assembly recognizing the rights of the proprietors. The assembly promptly passed an ineffective measure which practically nullified any attempts to collect rents from the associates of Elizabethtown. Such a law represented the general attitude of opposition to rents. When a controversy arose between the governor and the board of proprietors, however, the assembly sided with the latter. This sudden change of front was probably due to the fear that the crown might eventually take over the quit-rents, and enforce collection.⁴⁹

In 1744 the proprietors made a vigorous attempt to enforce their rights in East Jersey. After a number of writs of ejectment had been served, the popular wrath broke forth. The rioters were imprisoned, but the people quickly released them. As the assembly sided with the people, force could not be employed, and a free pardon was offered all offenders.⁵⁰ The board of proprietors then filed a test suit in the chancery court which demanded the payment of all arrears in rent by the associates of Elizabethtown, or the Clinker Rights Men as they were popularly called. This test case was greatly delayed, probably because the governor leaned toward the popular side. The French and Indian War, followed by the Stamp Act agitation, diverted attention from the suit, and it was never heard.⁵¹ This virtual victory of the associates of Elizabethtown, which really ended all hope of collecting rents in East Jersey, had great influence in stirring up opposition in neighboring colonies.

Though no active hostility to the inherent right to impose quit-rents was displayed in the Southern colonies, there was a strong undercurrent of opposition. In Maryland it assumed the form of repeated attempts by the assembly to control the collections. This object was achieved from 1716 to 1733 when the quit-rents were waived by the proprietor in favor of a 2 shillings export duty on each hogshead of tobacco. At the expiration of this agreement, the lower house made a number of attempts to renew it, asserting that the old method of paying the rents was burdensome to the tenants. As the average quit-rent in Maryland was insignificant, only about four shillings four and three-fourths pence per taxable inhabitant in 1756, this claim was hardly sincere. The entire movement may be construed as a sign of the popular determination to free the colony,

⁴⁹ Leaming and Spicer, *Grants and Concessions*, pp. 628-629; Nevill, *Laws of New Jersey*, I. 1-2; Mulford, *History of New Jersey*, pp. 293-299.

⁵⁰ Hatfield, *History of Elizabeth*, p. 367; Mulford, pp. 349-350.

⁵¹ *Bill in the Chancery of New Jersey, Proprietors against Persons of Elizabethtown* (New York, 1747), pp. 26, 47, and 66-67; Hatfield, pp. 370-372.

as far as possible, from external control.⁵² A similar intention was responsible, certainly in part, for the determination displayed by the office-holders of Virginia to control the collection of rents. This spirit went so far in Virginia in 1716 as to induce the assembly, with the connivance of the council, to petition the crown for the surrender of all rents.⁵³

The opposition in Virginia was largely due to arbitrary grants of the rents. In 1649 Charles II. granted to Lord Culpeper, Sir John Berkeley, and the Earl of St. Albans the quit-rents of the Northern Neck, lying between the Rappahannock and the Potomac. This grant was renewed in 1669, and in 1672 the rents of the entire colony of Virginia were granted for thirty-one years to Lords Culpeper and Arlington. Such vigorous protests followed this last attempt to convert Virginia into a proprietary province that in 1684 the crown bought back the rents of all but the Northern Neck. The tenants petitioned for the purchase of these latter rents as well, but their plea was not heeded. The rents of the Northern Neck descended to the Fairfax family by whom they were collected with little friction.⁵⁴ Yet the arbitrary power exercised by the crown in these grants naturally provoked a feeling of unrest in Virginia, and a resulting opposition to the quit-rents.

A grant of part of the rents of North Carolina aroused more serious opposition than did the similar grants in Virginia. In 1743 the quit-rents of North Carolina, from the Virginia line to 35° 41', were granted to Lord Carteret in compensation for his share in the Carolinas. This grant led to great abuse. Many fraudulent acts were committed by the proprietor's agents, and a number of riots occurred. Yet the crown paid no attention to a petition from the assembly praying for the purchase of Carteret's rights. The grievances attending this special grant formed one of the chief causes for subsequent discontent in North Carolina.⁵⁵

The influence exerted by the tenants, through their representative assemblies, was frequently shown in determining the medium of payment. The scarcity of ready money, especially in the seventeenth century, made a specie payment practically impossible. The assemblies usually undertook to solve the difficulty by declaring legal the forms of payment that were economically convenient. As

⁵² Mereness, *Maryland as a Proprietary Province*, pp. 80-85; *Md. Arch.*, XXV, 259, XXX, 397-399 and 626 ff.; Council Proceedings, August 23, 1756; Rent Rolls and Account Books, Calvert Papers.

⁵³ *Spotswood Letters*, II, 181.

⁵⁴ Osgood, III, 248-252; *Va. Mag. of Hist.*, I, 223; McDonald Transcripts, VI, 338-339, Va. State Library.

⁵⁵ Raper, *North Carolina*, 109ff.

these laws were always subject to the royal or proprietary consent, compromises were frequently made in regard to the commodities to be accepted and the rate of exchange. Yet when controversies arose, the tenants, through the assemblies, usually won. During the seventeenth and the eighteenth centuries tobacco formed the chief medium of payment in Maryland and Virginia. In both colonies the rate of exchange and the quality to be accepted became important problems. The successive attempts of the assembly to fix the legal price of tobacco in Maryland threatened much controversy, until, in 1671, the proprietors agreed to accept tobacco in payment of quit-rents at 2 pence per pound, about twice its real value, in consideration of an export duty of 1 shilling per hogshead of tobacco. This agreement continued up to 1716 when a 2 shilling duty was accepted in lieu of all rents. The popular fear that the proprietor would make an undue profit ended this agreement in 1733. The rents then became due in money, but tobacco continued to be received, though the rate of exchange caused no further trouble.⁵⁶

Tobacco payments for rent caused much trouble also in Virginia. Until 1662 when the assembly fixed the legal value at 2 pence per pound, the tobacco was accepted at the current rate. As much unmerchantable tobacco was paid in, the crown finally repealed the law of 1662. The burgesses strenuously denied the constitutionality of this action, and by a compromise, arranged in 1688, the quit-rents were made payable in tobacco at one penny per pound. The continued use of trash tobacco was stopped in 1713 by a law that required all payments of the rents to be made in inspected tobacco.⁵⁷ In 1754 the crown reduced the rate of exchange on tobacco payments of rents to three farthings per pound. But the price of tobacco fell so rapidly that the depreciated paper money became the only possible medium of paying the rents. Though in 1765 the sterling exchange was only 65 per cent., the crown was obliged to accept this colonial currency, since to insist upon a money payment of rents in the midst of the Stamp Act agitation would have been suicidal.⁵⁸

A similar situation developed in the Carolinas also. At first the rents were payable in money or its equivalent. But in 1682 the proprietors ordered payment in money only. Immediately great opposition arose, and in 1696 the proprietors were compelled to accept

⁵⁶ Alienation fines were included in both agreements, but their amount was very small. *Md. Arch.*, II. 284, 386-387, and 515-517; Upper House Journal, July 24, 1716, and Lower House Journal, June 3, 1733, *Md. Hist. Soc. MSS.*

⁵⁷ Hening, II. 31; Bruce, *Economic History of Virginia*, I. 561-562; *Spotswood Letters*, II. 61-62.

⁵⁸ Letter-Book of Richard Corbin, II. 58-59 and 69-70, *Va. Hist. Soc. MSS.*

a law which made the rents of South Carolina payable in commodities as well as money. As a compromise, however, the rate of exchange was to be determined by a board of appraisers, one-half appointed by the assembly, the other half by the governor and council. This agreement continued in force until the rents came under royal control when they became due in proclamation money.⁵⁹ Apparently the medium of payment caused no further difficulty in South Carolina, but in North Carolina, where the rents had been settled in tobacco, strong opposition was shown to a settlement in proclamation money. The lower house maintained that the Grand Deed to Albemarle had given the tenants in North Carolina the perpetual right to pay their rents in the same medium as in Virginia. Though the council, sitting as an upper house, sided with the governor, the popular pressure proved too strong, and the lower house won their point. The abuse of this victory by the tenants, who proffered the worst grades of tobacco in payment of the rents, made a reform finally necessary. Native products continued to be accepted, but the governor controlled the rates of exchange and the quality.⁶⁰

The varied influences provoking opposition to the quit-rents greatly reduced the actual returns. In the middle colonies, where the most active hostility was shown, collections were proportionately unsatisfactory. The quit-rents reserved in Pennsylvania from 1701 to 1778 amounted to £182,248 12s. 10d., but only £63,697 8s. 3d., or a little over one-third was collected.⁶¹ Collections were equally bad in New York. In 1698 £3,000 was due from the rents, but only from £200 to £300 was realized. In 1767 the rents of New York were valued at £1,806 7s. 9d., but the arrears were £18,888 16s. 10d., with little probability of collection.⁶² The situation was fully as bad in East Jersey. As a result of the long continued controversies the arrears in 1746 amounted to fully £15,000.⁶³ In West Jersey no serious attempt was made to collect the rents at all.

In the Southern colonies, including Maryland, where there was less active hostility, collections were somewhat more satisfactory than in the middle colonies. The slight opposition shown in Maryland, together with the well-organized system of collection, resulted in the largest returns from the quit-rents in any colony. The gross value of the rents in Maryland in 1690 was about £5,000,

⁵⁹ Smith, *South Carolina as a Royal Province*, pp. 29-30; Trott, *S. C. Laws*, 45ff. and 544.

⁶⁰ Raper, pp. 120-121, 130, and 187ff.; Swann, *North Carolina Laws*, October, 1748, ch. iv.

⁶¹ Shepherd, pp. 87-88.

⁶² *N. Y. Col. Doc.*, IV. 419; V. 552; VII. 900-901.

⁶³ *Bill in the Chancery of New Jersey*, App., p. 6.

but nearly one-third was lost in collection. With a gradual increase in both gross and net value, the quit-rent, just before the Revolution, had an actual value of £8,297 11s. ¼d., with a loss of not over 10 per cent. in collection.⁶⁴ In Virginia the failure to establish an effective system of collection resulted in less satisfactory returns than in Maryland. In 1697 the revenue from the rents was estimated at about £800.⁶⁵ Though the rent-rolls showed a steady increase, inefficient collection prevented proportionately satisfactory returns. In 1762 the gross value of the rents in Virginia was £4,396, but £16,160 was due the crown on account with only £5,000 on hand.⁶⁶ Collections in the Carolinas were proportionately even less than in Virginia, averaging in North Carolina only £1,000 annually between 1741 and 1744. In South Carolina the gross value of the rents was not over £1,800 and returns were exceedingly meagre. The returns in Georgia were also insignificant.⁶⁷

IV.

The right to appropriate the returns formed perhaps the chief advantage of the quit-rent as a means of imperial control. Theoretically, as representing the ownership of the overlord in the soil, the quit-rent was his private revenue. Yet this theory was more consistently observed in the proprietary colonies than in those in which the rents were paid to the crown. The absolute right of the proprietor to the revenue arising from quit-rents was unquestioned in Maryland. In Pennsylvania a tendency was shown to question this right, when the assembly asserted in 1701 that the rents were levied for purposes of government. This claim was summarily disposed of by Chief Justice McKean who held that the rents had been reserved as the private property of the proprietor and that they represented his ownership in the soil.⁶⁸ Despite this decision, in 1756 the assembly levied a tax upon the quit-rents to help defray the expenses of the French and Indian War. The proprietors denied the legality of such a measure and their contention was upheld by the crown lawyers to whom the matter was referred. A compromise was finally effected by a gift of £5,000 from the proprietors.⁶⁹

⁶⁴ Lord Baltimore's Account Books and Rent Rolls, Calvert Papers, Md. Hist. Soc. MSS.

⁶⁵ Bruce, *Institutional History of Virginia*, II. 379, note.

⁶⁶ Letter-Book of Richard Corbin, II. 9-11 and 25, Va. Hist. Soc. MSS.

⁶⁷ *N. C. Col. Rec.*, V. 101; Smith, *South Carolina as a Royal Province*, p. 66; King's MSS. Transcripts, no. 206, pp. 212-213, and 525-526, Library of Congress.

⁶⁸ Shepherd, pp. 67 and 90-91.

⁶⁹ *Ibid.*, p. 446ff.

In the royal colonies the revenue from the quit-rents was theoretically under the control of the crown as overlord. Since the rents were frequently employed for local purposes, the assemblies tended to assert authority over them, but the policy of the home authorities was to allow expenditures from the quit-rents only with the royal permission. This policy was especially noticeable in Virginia. At first, when the amount was small, the quit-rents of Virginia were expended for local purposes at the discretion of the assembly. But in 1685, when the rents had become more valuable, orders were issued which strictly prohibited any expenditure from this fund, except on the personal warrant of the crown. This policy, which was reaffirmed under William and Mary, and Anne, created, from the quit-rents, a revenue of the crown the disposal of which was wholly independent of the assembly.⁷⁰ The value of such a source of income, in rendering the royal government independent of local control, is obvious.

While maintaining control of the revenue from rents, the crown often issued warrants authorizing expenditures for extraordinary expenses. Lord Culpeper was allowed compensation from the rents for his claims to the quit-rents of all Virginia outside of the Northern Neck. Occasionally grants were made to aid local interests, including an appropriation in 1692 of £1,985 14s. 10d., to found the college of William and Mary. At the same time the crown issued warrants upon the rents, for £100 for the salary of the commissary of the Bishop of London, and for £400 annually for three years to supplement the meagre stipends of the Virginia clergy. The salary of the commissary continued to be paid from the quit-rents, but only on special warrants. The college of William and Mary was also aided from time to time from this fund.⁷¹ Other warrants were often granted from the quit-rents for extraordinary military purposes. Such expenditures from the rents were made to defray the cost of erecting a fort at Jamestown, and for numerous shipments of military stores to Virginia. Occasionally the quit-rents were employed to supplement the royal revenue in other colonies. New York received aid from this source in her constant struggle against the French and Indians, while, in 1711, the entire balance on hand of the quit-rents was granted to help equip the forces sent against Canada.⁷²

⁷⁰ Bruce, *Economic History of Virginia*, I. 563-564; Blathwayt's Journal, Transcript, I. 286 and 698-699; III. 64, Library of Congress.

⁷¹ Blathwayt's Journal, Transcript, I. 597, 658-659, and 705; II. 461-464; III. 38-39, Library of Congress; Sainsbury Abstracts, III. 623, Va. State Library; Letter-Book of Richard Corbin, II. 36, Va. Hist. Soc. MSS.

⁷² *Spotswood Letters*, I. 103; Blathwayt's Journal, I. 655-656 and 698-699; II. 29-32 and 224; Ludwell MSS., vol. II., no. 14, Va. Hist. Soc.

The quit-rents were also employed in Virginia to supplement the 2 shillings duty for the ordinary purposes of government. This aid, however, was granted only for the salaries of officers directly dependent upon the crown.⁷³ It is interesting to note one exception: the commissioners appointed to settle the boundary between Virginia and North Carolina were paid from the rents in 1713.⁷⁴ The payment of royal officers from the quit-rents, in cases of emergency, continued throughout the colonial period. In 1766 when the colony was in the midst of the Stamp Act agitation, as much as £1,255 was drawn out from the rents for this purpose.⁷⁵ This payment pointedly illustrated the inherent value of the quit-rent as a revenue, independent of the popular will, which might be employed for the support of royal officers.

Besides the allowances granted on special occasions, all the expenses of collection in Virginia were of course defrayed from the quit-rents. These expenses included the commissions of the sheriffs, the auditor, and the receiver-general. The balance was transmitted to the crown upon special warrants drawn on the receiver-general. Yet remittances were irregular and large amounts were frequently left in the custody of local officials. A lack of systematic supervision of accounts inevitably resulted in failure to make and transmit full collections.⁷⁶ In spite of this laxity the royal prerogative to dispose of the rents was carefully guarded. In 1714 when the 2 shillings duty was not sufficient for current expenses in Virginia, the burgesses attempted to secure control of the quit-rents. They asserted that, until the crown answered a petition praying that the rents be devoted to the ordinary purposes of government, they would refuse to levy additional taxes. Through the representations of Colonel Byrd, a temporary grant was made. But the burgesses never won the constitutional right to direct the expenditure of the rents, even on extraordinary occasions.⁷⁷

The evident value of the quit-rent as a revenue free from colonial control was recognized by Governor Clinton of New York, who urged, in 1747, the necessity of some form of permanent revenue in order to meet the increasing factional spirit displayed in the colony. A quit-rent of 2 shillings 6 pence per 100 acres on all lands

⁷³ Blathwayt's Journal, I. 597ff.; Sainsbury Abstracts, III. 623, Va. State Library.

⁷⁴ *Ibid.*, VIII. 441.

⁷⁵ Letter-Book of Richard Corbin, II. 72.

⁷⁶ Blathwayt's Journal, Transcript, II. 436 ff., Library of Congress; Letter-Book of Richard Corbin, II. 36ff., Va. Hist. Soc. MSS.

⁷⁷ Ripley, *Financial History of Virginia, Columbia Studies*, III. no. I., pp. 554-555; Sainsbury Abstracts, III. 456, Va. State Library.

in the colony would, he believed, produce annually £4,000, a fund in excess of any ever allowed by the assembly. The practical value of this suggestion was shown in 1762 when Chief Justice Benjamin Pratt was allowed a salary out of the quit-rents of New York, in order to free him from any dependence upon the people.⁷⁸ A similar use of the quit-rents was made in Georgia and the Carolinas, where they were employed to support the royal government, though, certainly in North Carolina, they were never adequate for that purpose.⁷⁹

V.

As a general form of land-tenure in the American colonies the quit-rent system was not wholly successful. This failure resulted from the fundamentally different character of the quit-rent in England and in America. In England it had come as a relief from onerous feudal dues. As such it was accepted without question; at first, as a welcome relief, later, as a customary charge. In America the very circumstances attending the introduction of the quit-rent were different from those in England. The lands which the colonists rescued by their own labor from the primeval wilderness had paid no previous feudal dues. The quit-rent constituted, therefore, not a welcome relief, but a tax upon the land. The colonists finally came to look upon it as an imposition upon the land for the benefit of an outside power. Their independence of spirit added fuel to the hostility. Perhaps even then the quit-rent would have been accepted, such is the power of custom, had it prevailed in all the colonies. But when the plans of the New England Council failed, and the land-tenure in all the corporate colonies became free of feudal charges, the doom of the quit-rent system was sounded. The example of New England soon stirred up opposition in the neighboring colonies. As communication became more frequent, this influence would have made itself felt to a more marked degree in the colonies to the southward, had not the Revolution intervened.

The problems that confronted the crown and the proprietors in establishing the quit-rent system in a new country militated against its success. Separated by long distances from the home government, the colonial governors were at a great disadvantage in carrying out instructions. Their dependence upon the assemblies for measures of enforcement greatly added to their perplexities. In all the colonies, except Maryland, the history of the quit-rent was one of persistent struggles between the governor and the assembly, the

⁷⁸ *N. Y. Col. Doc.*, VI. 395; VII. 501 and 503.

⁷⁹ *N. C. Col. Rec.*, V. 101; *Ga. Col. Rec.*, III. 410.

former representing the crown or the proprietor, the latter the tenants. Compromises became necessary, but usually it was the overlord who surrendered a large part of his claims in order to secure even a measure of respect for his rights in the soil.

Yet from either an economic or a legal standpoint the quit-rents were neither illegal nor unjust. The rates were not excessive, the methods of collection never became burdensome, and the economic necessities of the colonies were usually regarded in the mediums of payment. Indeed the quit-rents might be regarded as a just recompense for the expenses incurred in founding a colony. Nor did they represent other than a customary form of taxation. As the colonial possessions formed a fief of the crown, their inhabitants were bound to pay the usual form of feudal dues, the quit-rent, unless such charges had been expressly waived. But with a true spirit of opportunism, the colonial attitude of opposition to the quit-rents disregarded exact legal forms in favor of popular desires.

The quit-rent system assumes its most important aspect as a part of the scheme of imperial control. That the policy of the British government included the quit-rent as the general form of colonial tenure is apparent from its establishment in the West Indies, and in Canada, as well as in the thirteen colonies scattered along the North Atlantic. The determination to reduce all these colonies to this form of land-tenure is shown by the inclusion of the quit-rent in the scheme for strengthening imperial control in New England under Andros. The importance of the quit-rent in such a plan lay in its possibilities. Once established, it would have rendered the royal or proprietary officials free from that most effective limitation upon their power, dependence upon the assemblies for their financial support. This possibility was recognized in a practical fashion in New York, while the policy, so consistently observed in Virginia, of keeping this revenue free from control by the assembly, showed that the crown fully appreciated the importance for the purpose of the quit-rent then. Governor Dinwiddie recognized its value when he proposed a general land-tax, similar to the Virginia quit-rent, of 2 shillings per 100 acres. Such a tax, he believed, by bringing in fully £60,000 annually, would relieve the royal government of the necessity of depending upon unreliable assemblies for financial measures.⁸⁰ Had the policy of buying out the proprietors, which was begun in the Carolinas, been continued, and had the New England colonies been brought back under the quit-rent system, this plan would have been altogether feasible.

⁸⁰ Beer, *British Colonial Policy*, p. 45, note 4.

Indeed, much of the opposition to the quit-rent system arose from a recognition of its possibilities as a perpetual revenue the expenditure of which was free from local control. This aspect of the quit-rents was pointed out by the Virginia assembly in the several acts which decreed the abolition of this system of feudal dues.⁸¹ This hostility was inevitable, even had the Revolution not hastened its expression. The possibilities arising from the use of the rents to strengthen imperial control were too apparent. Such an antiquated system of land-tenure was bound to fail when it came in contact with the independent spirit of the New World.

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⁸¹ Hening, IX. 127-128; X. 64-65.

SAXON-AMERICAN RELATIONS, 1778-1828

AMONG the European countries that watched the struggle for American independence with the keenest interest was far-away Saxony. Here, as among other peoples of the Continent, there was a sentimental interest in the outcome; but that was far from being the true cause of the Saxon's lively concern in the contest. The real reason was more direct and more material in character. It lay in the prospect of establishing profitable trade relations with the New World, hitherto closed by the monopoly exercised by the mother-country. Not possessed of a sea-coast it would at first thought seem as if Saxony could have only a very remote interest in a conflict several thousand miles across the seas. Quite the opposite was the case however. No other region of Germany had progressed further in industries and trade, and no other people was more thoroughly alive to the advantages of new markets. The great fairs of Leipzig were frequented by merchants from all parts; no other city on the Continent could rival it in the importance of its trade. It was in fact the distributing point for central Europe. "Most of the commerce between the east and the west of Europe passes through it", wrote Adams in a report to Washington in 1779.¹ Three decades later the secretary of the Chamber of Commerce of Lyons, who was deputed by Montalivet to make a special investigation of the trade conditions in Germany, reported to Napoleon: "The Leipzig Fair is the great market for northern Europe, especially for manufactured articles". He pointed out further, that most of the manufactures of France found a ready sale there; that merchants from every part of Germany, from France, Italy, Austria, Poland, Russia, Turkey, and the Danubian provinces, and even from Asia, consorted there; that in former times the English were strongly represented; that the volume of trade was very large, and the business spirit of the people keen and venturesome.²

It was natural therefore that after the overthrow of the English monopoly of trade with the American colonies, the prospect of new

¹ Adams to Washington, August 4, 1779. Wharton, *Diplomatic Correspondence*, III. 285. William Carmichael writing from Berlin, September 29, 1782, says, "The ministers of Prussia and Saxony seem much disposed to induce their courts to open a direct commerce with America, particularly if the war continues." *Ibid.*, V. 785.

² Archives Nationales, series AF., IV. 1061. Report of M. Mottes, submitted to the emperor on November 19, 1810.

markets should have aroused the greatest interest in this highly developed business community. Extravagant expectations prevailed as to the opportunities for Saxon trade, opportunities which seemed the more assured because, even before the definitive peace was signed, a heavy demand for Saxon products for America made itself felt at the Leipzig mart.³ Besides, had not England prospered so greatly, largely because of her colonial trade? And now that her monopoly had been overthrown, and the Americans were hostile to her, what more natural than the belief that the Continent of Europe would take the place formerly occupied by England in the trade with America? It happened too that in all negotiations between the United States and Europe for at least three decades after 1778, the

³ "The fairs of Leipzig have drawn considerable advantage for four years from our trade. This power will see with pleasure the moment which shall put the last hand to our independence." Adams to Washington, Wharton, III. 284.

Compare also the following from the reports of the Leipzig marts: "Von den Hamburgern sind vorzüglich ordinaire Tüche, Chemizer, baumwollene Waaren und andere nach Nord-Amerika brauchbare Artikel aufgekauft worden. Ueberhaupt hat der in jenem Welttheil sich neuerlich eröffnete freye Handel zum glücklichen Erfolg der diesmaligen Messe nicht wenig beygetragen, da ausser den Hamburgern auch die Holländer und mehrere nach Amerika speculirende Handelsleute von verschiedenen Orten grosse Parthien Waaren erhandelt haben. Aus hiesigen Landen ist der Hof-Commissaris Mühlberger nach Hamburg abgegangen um sich da selbst mit einer ansehnlichen Pacotille, die seinem Vorgeben nach, grössten-theils in hier zu Lande gefertigten Kleidungs Stücken als Tuch, Kleidern, Hemden, Stiefeln, Schuhen bestchet, nach Nord-Amerika einzuschiffen. Ueber dies sind von einigen Leipziger, Zittauer und andern inländischen Kaufleuten, theils einzeln, theils in verschiedenen Kleinen Societäten unmittelbare Waarenversendungen nach Boston und Philadelphia gemacht worden, und ferner zu erwarten. Gleichwohl ist die Errichtung einer Actiencompagnie zum directen Handel nach Nord-Amerika, worauf vor Kurzem angetragen worden war, noch ausgesetzt geblieben, und es hat die Handelschaft zuvörderst ihr Gesuch erneuert, dass Ihre Churfürstl. Durchl. gefällig sein möge eine mit hinlänglichen Handels Kenntnissen versehene Person nach Nord-Amerika zu senden durch welche sichere Erkundigung von allen Theilen der dasigen Handlung zum Unterricht der hiesigen Kaufmannschaft eingezo-gen und das diesseitige Handels-Interesse überhaupt in jenen Gegenden nachdringlich befördert werden könne—welchen Gesuch man dem Etranger Département des Churfürstl. Geheimen Cabinets in Verfolg der von daher in Sache vorhin erhaltenen Veranlassungen unvorzüglich communicirt hat. Während dass jetzt . . . in Deutschland von allen Seiten auf Nord-Amerika speculirt wird, fällt dagegen allmählig nach Endigung des Seekrieges, die bisher von Dännemark nach West Indien getriebene ansehnliche Handlung." Königlich-sächsisches Hauptstaatsarchiv, Dresden, Loc. 2235, Acta, Mess-Relationes, vol. III., f. 366, Easter mart, 1783. For fuller statement concerning the Mess-Relationes see p. 530, note 37.

The following from the foremost Leipzig newspaper is also indicative of the prevailing interest. "London den 15 April. Sobald als der Handelstractat mit den Amerikaner geschlossen ist, gehen viele Personen nach Amerika. Ein gewisser reicher Mann steht bereit mit Dr. Franklin in Unterhandlung um dem Congress 20,000 Morgen Landes abzukaufen. Achtzig Familien haben ihm ihr Wort gegeben, dort hin zu ziehen und selbige aufzubauen." *Leipziger Zeitung*, April 26, 1783.

commercial interests dominated. In many cases treaties, largely of a commercial nature, were made, as for example by Sweden in 1783, and by Prussia in 1785, while negotiations for similar agreements were carried on by the Netherlands, Austria, Denmark, Portugal, Tuscany, and even Morocco.⁴

That Saxony was not behind in urging her claims in this matter through diplomatic channels is attested by a voluminous correspondence on the subject by her ambassador, Schönfeld, in Paris, by frequent letters and despatches by her ministers at other courts, notably at Madrid and Berlin,⁵ and by a very careful investigation of the matter by the Foreign Department of the government. Schönfeld's efforts to bring Franklin and later the other commissioners, Adams and Jefferson, to enter into an agreement proved fruitless. Indeed the American representatives at Paris seem not to have taken the question as seriously as they might, for they scarcely refer to it in their correspondence. Nothing daunted, however, Saxony's industrial and commercial classes, which were of course vitally interested, continued to conduct an active campaign outside of the regular channels of diplomacy. The government was finally persuaded to send a special agent to America; lists of the manufactures of Saxony were advertised in the American papers through houses recommended by Franklin; a joint-stock company for trade with America was organized; large private trade ventures were made by her citizens, accustomed through the great Leipzig marts to business on a large scale; and finally during the activities of the "Elb-Amerikanische Compagnie", the first Saxon commercial agents or consuls were, in 1826, accredited to the chief seaports of the United States.

The story of these vigorous and determined, though on the whole unsuccessful, efforts, has a threefold interest. In the first place, it reflects not only the general attitude of Europeans toward this country, but also the personal impressions of at least one shrewd observer who visited the chief cities and men of America immediately after the Revolution. In the second place, it reveals with remarkable clearness the direct and practical influence of the Revolutionary and

⁴For a discussion of these negotiations see the recent article by E. C. Burnett, "American Commercial Negotiations, 1776-1786", *AMERICAN HISTORICAL REVIEW*, April, 1911, XVI. 584 ff.

⁵*Cf.* note presented by the Foreign Department to the king on May 3, 1783. "Nachdem die Anerkennung der englischen Colonien in Nord-Amerika als unabhängiger Staat, wie in andern Ländern, so auch im chursächsischen Aussichten zu neuer Handels Verbindungen eröffnet hat, so sind die deshalb im Voraus eingezogene, und besonders von der diesseitigen Gesandtschaft in Madrid eingegangenen . . . Nachrichten und Vorschläge . . . abgegeben." *Kgl. Sächs. H. S. A., Loc. 2420*, "Acta, Die Eröffnung eines unmittelbaren Handels nach Nord Amerika, und Errichtung einer diesfalsigen Handlung Societät betrff. Ao. 1783."

Napoleonic wars on the commerce and industry of Europe. And finally, it affords striking illustrations of conditions in Saxony itself during the critical period when the results of the English industrial revolution were crowding her industries to the wall. Apart from the prospect of large profits, which were confidently expected from the American trade, the necessities of the industrial situation in the later period drove the Saxon to seize upon the most unpromising means of keeping off the economic ruin which stared him in the face.

As early as September 21, 1778, Schönfeld, the Saxon ambassador at Paris, writes to his government in some detail on the French-American commerce and on the possibilities of providing a market for Saxon wares by a policy similar to that pursued by France. He enumerates the various articles the French had sent over to America, on which the profits frequently amounted to twenty per cent. and never to less than ten.⁶ A plan for developing a trade route between Saxony and America across France was laid before the government in a memorial addressed to the cabinet on November 11 of the same year, and four years later Schönfeld was actually instructed to sound the French government on the establishment of a Saxon consulate at Nantes for the Saxon-American trade.⁷ In the meantime, also, the Saxon merchants were invited in a more direct way to trade with America by William Lee during his mission as special commissioner to the courts of Prussia and Austria. He visited Leipzig and represented the opportunities and advantages of trade with the American colonies. Lists and samples of Saxon manufactures were given him, and much was expected in Leipzig from his efforts. Later, Schönfeld at Paris took the question up with Franklin, reporting to his government in a cipher letter of August 8, 1782, in which he says:

M. Franklin, who for some time has been much better received by the members of the diplomatic corps because they realize that America will sooner or later become independent and be recognized by all sovereigns, has given me repeated assurances, that in the light of the representations which I have made to him since his arrival in Paris, and the confirmation of these by his fellow countrymen coming from Leipzig, on the subject of the extension of the commerce between Saxony and America,

⁶ Kgl. Sächs. H. S. A., Loc. 2610, "Acta, Den Nord Amerikanischen Handel betrf., vol. I., f. 5. Le désir de servir les Américains contre leurs ennemis a été le premier mobile des expéditions qui ont été faites, et elles ne consistaient d'abord qu'en matières propres au soutien de la guerre. C'est dans ces premiers voyages qu'on a appris à connoître que ce pays étoit dénué de tout qui tient au nécessaire et commode, surtout des matières que la mère patrie lui avait fournies avant la dissension. Les articles de manufactures, branche essentielle du commerce d'Angleterre, méritent d'être nommés les premiers", etc.

⁷ *Ibid.*, ff. 3 and 15.

he would do his utmost to establish with Saxony in particular a bond of mutual advantage, and that after the conclusion of the peace he would be pleased to discuss the points relating to the negotiations.⁸

In its reply, the Saxon government instructed its ambassador to miss no opportunity to further the project, adding: "In awaiting the outcome you will endeavor to obtain from Mr. Franklin in a confidential memoir the information needed to guide us in the future negotiations".⁹ This Schönfeld found a trifle difficult. Two weeks later he wrote that, since he was confined to his room through illness, and since Franklin lived in Passy, he would be unable to talk with him about the proposed treaty before their fixed interview at Versailles on the fifteenth of November. Besides, Franklin had assured him in their last interview that the maritime commerce of the United States would be free, and that when peace was once established, he would not fail to have conferences with him on the subject of reciprocal commerce.¹⁰

Early in 1783 he reported that Franklin had asked for a list of Saxon manufactures.¹¹ This the government promised to send as soon as it could be procured, adding however that a certain Mr. Lee had already obtained such a list in passing through Leipzig in 1779, and expressing its surprise that Mr. Franklin should be so tardy in entering into definite negotiations.¹² Apparently Franklin saw no reason for haste. He was, moreover, as Schönfeld himself states in reporting the news of the American treaties with Prussia and Sweden, too busy with the definitive treaty of peace to take up the question of the relations with Saxony. During an interview with Franklin a few weeks later Schönfeld presented the list of Saxon manufactures and obtained in return the names of two American houses, one in Philadelphia, the other in Boston, which Franklin particularly recommended as "les deux maisons les plus solides", with whom the Saxon merchants might deal without risk of loss.¹³

⁸ *Ibid.*, Loc. 2748, "Acta, Des Kammerherrn von Schönfelds Abschickungen an den Königl. französischen Hof und dessen daselbst geführte Negotiation betrff." Convol. XXVII, f. 227.

⁹ *Ibid.*, f. 245. Letter from Dresden, September 4, 1782.

¹⁰ *Ibid.*, f. 269. Letter from Paris, September 19, 1782.

¹¹ *Ibid.*, Convol. XXVIII, f. 63. Letter from Paris, February 6, 1783.

¹² Kgl. Sächs. H. S. A., Loc. 2610, vol. I. f. 89.

¹³ *Ibid.*, f. 122. Despatch from Paris, March 28, 1783. The names of these two houses were written by Franklin on an ordinary piece of paper about four by six inches in size, which is bound up in the volume as folio 124. They were Mr. Richard Bache, Philadelphia, and Mr. Williams, Boston. The former saw to it that a list of Saxon manufactures was advertised; e. g., *The Pennsylvania Journal and the Weekly Advertiser*, Wednesday, October 1, 1783: "To the Public. The subscribers have lately received, and have now in their possession, a List of

No further progress was made for another month. In April, Schönfeld writes about the Swedish treaty and of a conversation with the Swedish minister, from whom he learned that the proper form to be used in addressing the United States was the same as that used towards Holland, namely, "Très Chers et Grands Amis Alliés et Confédérés".¹⁴ A treaty with Denmark was also being negotiated, and from Baron de Bloque he learned that young Franklin, the grandson of the minister, would doubtless be sent as minister to Copenhagen. In the meantime, Schönfeld and his government got the idea that Franklin was holding back because Saxony was a competitor of France industrially, and that a treaty between the United States and Saxony might be displeasing to the French. Franklin's favorable attitude at first, says the Minister of Foreign Affairs, did not lead him to expect "that he would actually avoid the matter now by refusing to discuss seriously the means of developing the reciprocal commerce of the two countries, and of assuring to that of Saxony a certain preference". The ambassador was urged to spare no pains in discovering the real reasons of Franklin's reticence.¹⁵ In this he was unsuccessful, though the cordial treatment received from Franklin, by whom he was invited to breakfast in Passy, dispelled all fears as to personal difficulties. As to the supposed difficulty about the informal character of the visiting card he had used in calling on Franklin, he says that Franklin "est d'ailleurs ennemi juré du cérémonial, et ne reçoit ni rend des visites d'étiquette".¹⁶ At the same time he complains of the difficulty of his task. The maritime powers, he adds, possess a distinct advantage in that they can make definite proposals instead of "ouvertures vagues et générales". Early in June he writes that the Portuguese

the Manufactures and Products of the Mines of the Electorate of Saxony; also pattern Cards, with the Price of each particular Article, which may be seen at their Store in Chestnut-street, near Front-street, being sent over for the Information of the Public in general.

"There is also affixed to the above List, the Names of the Tradesmen and Directors of Manufactures in the principal Towns in Saxony; likewise a Price Current of the Linen, Woollen and Cotton Goods fabricated in the Prussian Dominions. Bache and Shee." Cf. also, letter of November 1, 1783, from Messrs. Bache and Shee of Philadelphia to M. Franklin le fils, Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 2.

¹⁴ Kgl. Sächs. H. S. A., Loc. 2748. Letter of April 18, 1783.

¹⁵ *Ibid.*, f. 109. Instructions to Schönfeld from the Foreign Office, dated April 27, 1783. Another part of the letter says that in view of the possibility of the ambassador having piqued Franklin through a lack of proper formality in his visiting cards, he is advised to have his official character as minister placed on the cards he uses in calling on the American representative.

¹⁶ *Ibid.*, f. 124. Letter from Paris, May 9, 1783.

ambassador had received instructions to negotiate a treaty with Franklin.¹⁷

About the middle of the month the form of the negotiations changed somewhat. On the 19th, Schönfeld sent home an account of his dealings with Franklin and other Americans, namely, Adams and Jay, then in Paris.¹⁸ A month later in speaking of introducing Thieriot, of whose appointment as commercial agent to the United States by the Saxon government more will be said later, he tells how Franklin received them with much cordiality, but declined to commit himself beyond merely recommending the newly appointed agent. All his efforts to obtain more were fruitless, for Franklin would in no wise transcend his powers, or assume those of Congress, particularly since it might hurt him personally, for, says Schönfeld, "I know through Mr. Adams, the minister of the United States at the Hague and at the same time accredited here on the matter of the definitive treaty", that "M. Franklin n'a plus auprès du Congrès l'ancienne influence, dont il jouissoit, et que la meilleure partie, qu'il ait à prendre, est de finir ses jours en France, où il est réellement chéri et vénéré".¹⁹

From this time forward the question of a treaty seems to have been allowed to rest, pending the investigations and results of Thieriot's mission to America. Schönfeld's correspondence is, with one or two minor exceptions, silent on the subject, save when he transmits information or letters and reports from Thieriot. These began to arrive in the early summer of 1784. They were so unfavorable that the Commerz-Deputation, to which they were submitted for consideration in connection with a memorial that body was preparing on Saxon relations with America, showed much less enthusiasm for the establishment of a commercial treaty with the United States than before.²⁰ At the same time they added that since a commercial agreement with the United States might be of value in the future, when material conditions in America had improved, and since other nations might obtain favored treatment from which

¹⁷ *Ibid.*, f. 136. Letter from Paris, June 6, 1783. During all these months Carmichael's activity in Madrid appears in the despatches of Count Gersdorff to Dresden. Cf. Kgl. Sächs. H. S. A., Loc. 2610, f. 215 *et passim*.

¹⁸ *Ibid.*, Loc. 2748, f. 145. Letter from Paris, June 19, 1783.

¹⁹ *Ibid.*, f. 199. Letter from Paris, July 28, 1783. On the relations of Franklin and Adams, cf. Wharton, *Diplomatic Correspondence*, I. 498-499.

²⁰ Kgl. Sächs. H. S. A., Loc. 2420, f. 51 *et passim*. For the character and the activities of the Commerz-Deputation, see p. 530, note 37. The memorial declares that in Philip Thieriot's report "ist die Beschaffenheit der dortigen Commerce so beschrieben, dass überhaupt genommen aus einem unmittelbaren Handels-Verkehr für hiesige Lande kein wahrscheinlicher Vortheil zu hoffen, sondern vielmehr Verlust oder wenigstens Gefahr zu besorgen seyn dürfte".

Saxony would otherwise be excluded, negotiations for a treaty should be taken up along the line of reciprocal advantages suggested in an appended report. This they held to be all the more necessary because the American plenipotentiaries, Adams, Franklin, and Jefferson, entrusted with full powers to negotiate treaties with the different European states, had formally notified the Saxon ambassador at Paris of their mission and of their willingness to open negotiations as soon as some one endowed with the proper qualifications by the Saxon government should appear.²¹

From a note of the Foreign Department of December 8, 1784, it appears that the elector submitted the question to his cabinet with the request to report on the extent and manner of procedure. The cabinet again referred the matter to the Commerce Commission which reported in November. The recommendations followed a middle course. After the general argument a number of definite objections to the project were raised. First, there was the glutted state of the American market as described by Thieriot, second, the scarcity of specie in America, third, the demand for extended credit, fourth, the lack of capital in Saxony to make this feasible, and fifth, the competition of English manufactures.²² Besides, the United States had on different occasions made known her determination to extend the same privileges to all alike, and to make no distinction in her treatment of the countries trading with her. Nevertheless, since no harm could come from a treaty, the report suggested that the American commissioners be approached on the subject of a treaty based on specific points, which they enumerated under six heads. To these recommendations the cabinet gave its support, suggesting that the ambassador in Paris be ordered to take the necessary steps.²³ But nothing came of these recommendations and the matter seems to have been dropped. In the meantime, Thieriot's mission to America, partly diplomatic and partly commercial, must command our attention.

The reason for sending a special commissioner to represent Saxon interests in the United States is evident from what has been said above. The steps immediately leading up to the appointment appear in a letter from Gorsdorff, the Saxon minister in Spain, to Mr. Carmichael. Gorsdorff writes:

²¹ Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 88.

²² *Ibid.*, Loc. 2420, f. 59. For the same reasons, says the memorial, the Saxon merchants have quite given up the idea of a trading company to North America.

²³ *Ibid.*, ff. 51 and 64. Notes of February 5 and 19, 1785.

Sir: I have just received instructions which contain the result of what has been for a long time the subject of our conversations. The trading interest of Saxony has seized with avidity the overtures and details which after our interviews I placed under the eyes of the ministry. Persuaded that the goodness and cheapness of our commodities will give them an advantage in such an enterprise, they have adopted the plan which you have indicated, of sending to America a person who shall look after their interests, and obtain the knowledge indispensable for their direction.²⁴ Their choice has fallen upon a merchant of Bordeaux, a native of Leipzig, whose name is Philip Thieriot, known as a man of probity, intelligence, and good conduct, who is now in Saxony, but will soon establish himself in Philadelphia, to transact business in the character of a merchant, both on his own account and that of others.

The elector has assented to this choice, and permits that for the present M. Thieriot shall hold in America the functions of commissary-general of the commerce of Saxony, with the view of founding mercantile relations between the two countries, and that he may receive the commissions of Saxon merchants, direct their enterprises, and guard and support their interests, both in relation to Congress, and other respects, till circumstances shall make it proper for him to be supplied with more particular directions. For this purpose the oath has been administered to him, and he has been furnished with suitable instructions, and the power of making appointments. He sets off immediately for France, where he has certain affairs to arrange, and he will then be ready to embark from Bordeaux in the month of August.²⁵

For some reason Thieriot failed to get away in August, apparently not leaving Bordeaux till September 25. This proved a serious delay. His little vessel was caught in the early storms of that season, and after forty days, the ship having sprung a leak, he was picked up with his crew by a fishing boat from Boston. They had worked the pumps steadily for fifteen days and fifteen nights, and "more than once", he writes, "we saw ourselves on the point of

²⁴ In a letter to Livingston, Carmichael tells of his suggestions, as follows: "On his pressing me, however, to give him my sentiments on the best means to forward an intercourse between the two countries, I replied verbally that in my opinion the speediest and most effectual method would be to send from Saxony to America a person well acquainted with the commerce of his own country and properly authorised, who, being able to judge on the spot what advantages were to be derived from such intercourse, might immediately treat with Congress if the Elector thought proper." Wharton, VI. 616.

²⁵ *Ibid.*, p. 609. Cf. also Kgl. Sächs. H. S. A., Loc. 2420, f. 3, and Loc. 2610, vol. I., f. 181. Here the facts from the standpoint of the Saxon government are given. In view of the report of the Commerz-Deputation and the investigations of the government, His Majesty is willing to pay the expenses of an agent to America, but he does not regard with favor the suggestion to buy shares in a trading company. Cf. plan for a joint-stock company for direct trade with America, submitted, March 28, 1783, Loc. 2610, vol. I., f. 147. The selection of the agent was left to the Foreign Department and from an entry on June 24, we find that the Kauf- und Handelsmann, Philip Thieriot, has been chosen at a salary of 1500 Thaler a year. Thieriot's instructions as "Commissionaire du Commerce de Saxe" are very minute, occupying 16 pages.

being swallowed up". On October 24 he was landed at Pointe-à-Pitre, Guadeloupe; thence he got to Santo Domingo, whence he sailed for Philadelphia on January 27. Again storms and rough weather overtook him and he was fifty-two days making the passage, arriving at Philadelphia on March 18. Nor was the weather in America much more hospitable. "In the memory of man", he writes, "there has not been so severe a winter." The Delaware continued frozen till the middle of March.²⁶

After presenting his credentials to Morris and Hillegas, he began to look about for indications pointing to the successful carrying out of his mission. In this he was keenly disappointed. Writing to his government on April 12 he says:

My short sojourn here has revealed to me nothing whatsoever calculated to inspire the hope of success for the mission entrusted to me. . . . I am chagrined to see that conditions are so bad that my duty obliges me to declare to your Excellency that there is very little prospect of realizing those lofty ideals of public welfare which your Highness believed might result from a closer union between Saxony and the United States.²⁷

To support his conclusions he submitted a long report which pictured the well-known disordered state of affairs in America during the years immediately following the close of the war with Great Britain.²⁸ Prices of staple commodities, he said, were excessively high, which was the more striking to him because in Europe the belief was general that in the United States there was an abundance of all the necessities of life, such as grain, flour, beef, wood, etc. A cord of wood which ordinarily sold for \$4 then cost \$20, flour was selling at \$11 to \$12 a barrel, and rents were very high. The causes he found partly in the severity of the winter but more particularly in the extreme scarcity of manual labor. Not only had the loss of life in the war been considerable, but at its conclusion, lands were given by Congress to the soldiers, and this, together with other advantages held out to the pioneer to settle inland, denuded the seaboard cities of laborers. Hence also the excessive wages paid to those who remained.²⁹ Again the United States had not as yet

²⁶ Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 18. Thieriot's letter from Philadelphia, March 23, 1784.

²⁷ *Ibid.*, f. 23.

²⁸ *Ibid.*, ff. 26ff. This was the first of Thieriot's reports and bears the date of April 12, 1784. Others of equal length and interest followed on April 26, May 30, November 13, 1784, and January 14, 1785, besides short letters at different intervals. In these many features of American life of the period are discussed with unusual intelligence and insight.

²⁹ His astonishment at the payment of a dollar a day for ordinary work is a suggestive commentary on the low rate of wages in Saxony. "La journée du

begun to coin money, and great confusion prevailed as a result. Foreign money was in circulation everywhere, the Spanish piastre, called dollar in Philadelphia, being most in use. He gave the values of different coins in use, saying that in writing, pounds and shillings were used, but that in actual circulation they did not exist, being "monoye imaginaire". Further, each of the thirteen states had a different way of counting or estimating the value both of moneys and weights.

The American, he declared, was frugal in his habits—"n'est point adonné au luxe dans les habillements ni dans les ameublements, sa table est frugale et tout se ressent de son oeconomie". As a consequence articles of luxury were not in demand and could not find a profitable market. Yet this is just what Europe failed to appreciate. No sooner was the war ended than there arrived in all the seaports so many ships from the different countries of Europe bringing an amount of merchandise so prodigious that the market of the richest country would have been glutted. The supply far exceeded the demand. Goods were sold at great loss, lay there till they spoiled, or remained unsold. Europeans instead of considering the taste and actual needs of Americans consulted only the interests of their own particular commerce. Many brought over inferior goods which served to discredit the manufactures of their nation. In view of the American's great need, anything was believed to be good enough for him. Large profits were confidently, even eagerly, expected; and instead, enormous losses—"des pertes immenses"—were incurred.³⁰ To the reasons for this already cited must be added the failure of Europeans to appreciate not only the real needs of the American market, but also the American method of doing business.³¹ In this the English had been much wiser than Continental traders. Having supplied the colonies before the war, they understood the conditions, and now asked only to re-establish business relationships on the old basis. Hence, although their commerce would never be as large as it had been, yet because of the enterprising character of the English merchant, because of his wealth,

plus misérable manœuvre est d'un Dollar. C'est cette excessive cherté de la main d'oeuvre qui influe sur un infinité de détails." *Ibid.*, f. 27.

³⁰ *Ibid.*, f. 30.

³¹ The many ports of entry and the great distances separating them form another obstacle. "Si les opérations avec l'Amérique étoient renfermées dans le même pays et dans quelques ports de mer seulement, alors le négociant pourroit donner à son entreprise une certaine combinaison, mais quelle combinaison l'homme le plus éclairé peut il faire à présent. Il assortira son expédition dans les articles qui peuvent être bons et de convenance, mais peut il savoir ce qui se passe dans vingt autres ports de mer, où l'on peut avoir les mêmes idées que lui." *Ibid.*, f. 30.

which enabled him to grant extended credit,³² and because of the adaptation of his goods, he would secure "une certaine prépondérance sur les autres concurrents".

Nevertheless he considered the possibilities of trade with the United States by other countries, if conducted on a conservative basis, as very good. Enlightened by their recent losses, he thought European merchants would no longer enter upon ventures "in which the imagination, excited by the expectation of large profits, played the greatest part". Moderate profits were possible and practically assured, he thought, but the whole trade should be regarded exactly as trade in Europe. The transportation involved maritime risks that European trade did not have to contend with, but this could be covered by an insurance of from 3 to 5 per cent. according to the season.

After these general comments on the prospects of trade with America, he took up the situation as it affected various articles of Saxon manufacture in detail. Many of these articles, he reported, were well known in Philadelphia, the principal commercial city of the United States, the firm of Wynkoop and Siemen having made imports of Saxon manufactures to the amount of £30,000. Linen and cotton goods were in demand and in these lines Saxon manufactures could readily compete with those of other countries. The same was true of Saxon watches, laces, and cotton stockings. Saxon woolen articles on the other hand could not compete with the English, except the woolen cloth of Saxony which he thought might take well. Further, "les mi soyes, les dentelles blondes, les galons faux ne trouvèrent pas de débit à Philadelphia".

The great difficulty, however, seemed to him to lie in the exorbitant credit, extending from twelve to eighteen months, asked by American business houses, whose soundness could not be guaranteed. It did not seem to him probable that the Saxon merchant would agree to this. Indeed it would be well-nigh impossible for the individual merchants and manufacturers to do so, even if the great distance from Europe, the lack of centralization in American trade and the keen competition from Hamburg, Bremen, and Amsterdam, did not impose other burdens too great for him to carry successfully.

Nor did he regard the idea of overcoming these by corporate effort with favor. The project of securing large profits from trade with America by the organization of a trading company was alluring

³² "Le moindre terme que le negotiant Anglois accordoit à l'Americain etoit de douze mois." Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 29. Cf. also *Evidence before the House of Commons, on the Petitions of London and Manchester Merchants, regarding the Orders in Council* (London, 1808), p. 2 et passim.

but under existing circumstances not likely to succeed. In the first place no honest assurance of profit to the investor could be made, and people would not put money into an enterprise for purely patriotic reasons. The organization of such a company would arouse the jealousy of Hamburg merchants who might retaliate by ceasing to favor Saxon manufactures. It would be necessary to maintain a factory or depot in America, as well as agents, at considerable expense. For these and other reasons, it was better to continue to sell through Hamburg and other Continental ports, taking care to furnish goods at a rate that would compete favorably with those of other countries.³³

As might be expected, the most interesting parts of the reports of this foreigner visiting our country in the first years of its national existence, do not relate directly to his mission. Thieriot was a keen and intelligent observer. He saw not only the interesting play of men and events from day to day but he saw the meaning of things, and became in the end a warm admirer of American institutions. Thus, for example, he shows the liveliest disapproval at first of a judicial system that declines to keep the accused in prison if bail is furnished. Six months later, however, he gives a most favorable account of the grand and petit jury and of ordinary procedure in the administration of American justice. It makes no use, he reports, of chains, of public exposure, or of torture. It actually allows the accused to choose his own judges, and if he is poor it provides him with counsel. There is a democratic freedom in the sessions of the courts that is astounding to the European. A Frenchman, he thinks, would be greatly amused by the plain clothes of the court—"simple quelque fois même très négligée"—and at the free going and coming in the court-room.

The rapidly increasing emigration from Europe and the system of indenture is discussed with much freedom and a clear sense of its significance. By this system the emigrant, although penniless when he arrives, instead of becoming a charge on the state, is provided for till he becomes acquainted with his new surroundings. Thieriot's comments on the political situation do not concern us here.

³³ "Il est cependant possible que sans le secours d'une compagnie les fabriques de la Saxe pourront également prospérer, puisque si elles peuvent soutenir par leur bas prix et la bonne qualité la concurrence, elles auront suffisamment d'occupations par les ordres qu'elles recevront des ports d'Europe. Il semble que l'établissement d'une compagnie ne soit nécessaire que dans l'apprehension que les fabriques manquassent de travail par la suite. Mais encore elles ne manqueront pas d'occupations si elles peuvent établir les articles à bon marché, et si elles en manquoient par ce qu'elles ne pourroient plus les établir qu'à haut prix, l'établissement d'une compagnie seroit alors tout a fait inutile." Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 39.

More immediately associated with the carrying out of his mission are the social customs in vogue in Philadelphia. His position, as well as letters from Franklin and Carmichael, admit him to the best society, and there is much entertaining. But contrary to the custom in Europe, "il n'y a ici ni promenade, ni spectacle, l'on ne peut se voir qu'à table, et ce sont des séances de 4 à 5 heures".³⁴ In order properly to participate in this a residence or establishment is necessary. But that is very expensive, even under the strictest economy, and discouraged, he sees, "avec douleur, que par les circonstances je ne suis pas dans le cas de remplir ma mission dans aucun des deux objets de commerce et de politique".

Into his interviews with Morris and his trip to New York, Albany, and Boston, space does not permit us to go. On September 9, 1784, he reported in cipher that his mission was not progressing, that the Americans were not eager to get a treaty with his Highness and that he thought Saxony was showing them more honor than they deserved. "They do not show the same towards us." Hence too, he is "very careful always, in no wise to compromise the dignity of the Elector".³⁵ In January, 1785, after having repeatedly asked to be relieved of a mission which he had given up all hope of carrying to a successful issue, he announced his intention of sailing by the "pacquet boat" which was to sail on the 15th or the 20th instant for Bordeaux.³⁶ A few later letters are from Bordeaux but they are of little interest, and the mission may be regarded as ended.

For the next fifteen years the relations between Saxony and America are not very active. Diplomatically they appear to have ceased entirely. Commercially, however, the intercourse and interest were kept up, and that to a much greater degree than one would expect in view of the great wars of the period. The story of these relations, in which very interesting side-lights are often thrown on the conditions of the time, is found mainly in the excellent *Mess-Relationes*, or official reports of the Leipzig fairs.³⁷ Thus for 1791,

³⁴ Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 52.

³⁵ *Ibid.*, f. 94. He adds further that he lets it be known that he came in the interests of Saxon commerce and in the enjoyment of the full approval of his court. The only attempt to open the political treaty he made during his two days' stay with Livingston.

³⁶ *Ibid.* Letter of January 14, 1785. In the latter part of Loc. 2610, vol. II., the paging is discontinued.

³⁷ These official reports to the government were made for the Easter and Michaelmas fairs on the part of the Landes- Oekonomie- Manufactur- und Commerzien-Deputation. This body, which was first established in 1729, consisted after its reorganization in 1764 of a director, a vice-director, 12 assessors taken from the other departments of the government, 3 secretaries, 3 copyists, and a beadle. It had charge of all matters relating to industry and trade, and proved a remark-

we find reference to a considerable trade in Saxon linens *via* Hamburg to England, whence they were sent to America. The United States, so the commission goes on to say, was again supplying practically all its manufactured necessities from England. But the demand was so great that German wares were needed to supplement the English. These were shipped either direct or by way of England. For example, a Budissin woolen manufacturer at the Easter fair in 1796 reported an order of 300 dozen pairs of stockings from Bremen for America. Hamburg too, says this report, was buying unusual quantities of cotton goods for America and Spain. At the same time it draws attention to the fact that the war was deflecting trade into new channels. "Der Caffee z. b. werde am häufigsten über Philadelphia, Charlestown, Halifax, und New York bezogen."³⁸ Experienced merchants maintain that of all the enormous amount—between 35 and 36 million pounds—of coffee imported in the previous year, at least one-half came from American ports. Most maritime countries of Europe were at war, which threw commerce to the neutral flag, and American shipping made extraordinary progress. Added to this growth in the commerce of the United States was a corresponding increase and development of her agriculture and population, so that the American market steadily became of increasing importance to Europeans.

The effect of this was, as we have noted, to establish trade relations with Germany, notably with Hamburg and Bremen, which in turn had a very important bearing upon Saxon industries.³⁹ Both at the Easter and at the Michaelmas fair in 1797, Budissin again reports "grosse Bestellungen aus Bremen zu weiter Versendung in die Nord-Amerikanischen Freystaaten". American hides at Leipzig were so plentiful that the price had gone down greatly. Manufacturers of Upper Lusatia had had continued and increasing demands through Hamburg for white and colored cotton goods, but on account

ably efficient body. It was located at Dresden but for the Easter and Michaelmas fairs the director and one or two members, together with the necessary staff, usually spent three weeks at Leipzig, making searching and often detailed reports to the government on the state of trade and industry. These are particularly good for the period from 1780 to 1800. They are found in Kgl. Sächs. H. S. A., Loc. 2235, "Acta, Der Landes- Oeconomie- Manufactur- und Commerciën-Deputation, Mess-Relationes". For the years 1729-1787, vols. I. to IV.; for the years 1788-1799, Loc. 2236, etc.

³⁸ *Ibid.*, Loc. 2420, ff. 100-105. The parts of the reports dealing with this subject for 1791-1801 have been transcribed from the complete reports and brought together here.

³⁹ For the relations between Hamburg and the United States there are the excellent studies by E. Baasch, *Beiträge zur Geschichte der Handelsbeziehungen zwischen Hamburg und Amerika* (Hamburg, 1892).

of the disturbance caused by the French to shipping for North America, much of this had stopped. The woolen-stocking trade through Bremen had likewise ceased for the time. A temporary revival in the cottons of the Upper Elbe early in 1798 after the stagnation of the previous summer was of short duration. Before the next mart conditions again changed. The report for the Easter mart of 1798 declares that the renewed demand of last year by Hamburg and Bremen for Saxon cottons had suddenly ceased; even the shipments that had been forwarded were still lying at these places owing to the dangers to commerce because of the war. The insurance on goods for North America on neutral ships rose to 12 and 15 per cent. For the same cause there was a dearth of American hides in the Saxon markets. Still the report of the Michaelmas fair, following, is to the effect that the demand for the cotton manufactures of Upper Lusatia for America was increasing in spite of the high rate of insurance on ocean transport. In 1799 the orders for woolen stockings and for white and colored cottons again came in, and the prospects for the future seemed excellent, the trade with North America bidding fair to offset the loss of the Spanish, Italian, and Dutch markets. The following year, 1800, the orders for white and colored cottons, which were now for South America also, and came not only from Hamburg and Bremen, but likewise from England, were so large that they could not be filled.

Unfortunately, however, the extended credit granted by the sea-port merchants had caused them heavy losses and in many cases bankruptcy, which in turn was threatening Saxon manufacturers, who had borrowed heavily from the Leipzig bankers in order to support the system of selling on extended credit. The speculation in colonial products, the high prices of sugar, coffee, and tobacco, which were exchanged in America for Saxon goods, are discussed in the official reports, and the hope is expressed that the failures in Baltimore and Charleston may not react too seriously on the European situation. As a result of these, the report of the Michaelmas mart for 1800 says that since the second half of 1799 orders for the American trade had practically ceased to come in. Besides it would take some time to restore the confidence of Bremen and Hamburg houses doing business with North America. Nevertheless even under these conditions some orders from Bremen continued to come in. But the Saxon manufacturers were unwilling to risk their goods on the old conditions, demanding full security or guarantees for payment. The same condition prevailed with respect to trade by way of England. Nor did the next year bring any relief. The

report for the Easter mart of 1801 adds further, that because of the heavy shipments of Silesian and Saxon cottons the market in the American trading ports had been glutted (*überführt*) and prices very much depressed.

The result of these conditions was naturally very serious in the manufacturing regions of Saxony. Much complaint was heard against a system which made the domestic industries dependent upon the middlemen of the German seaports and of England. Indeed it was largely because of the losses suffered in this way, that the demand for the establishment of a direct trade with America again arose. To obtain this much-desired result the manufacturers and merchants who took up the matter urged, first, the formation of a trading company, and second, the appointment of a Saxon *chargé d'affaires* in the United States. The first vigorous movement in this direction occurred in 1801 and it came as a direct result of the economic conditions described above.⁴⁰

Thus we find the Department of Foreign Affairs occupied in May of that year with an important petition from the manufacturers of Dresden and Upper Lusatia which asks that a resident consul be appointed to the United States, in order to promote the interests of home manufacture and trade with that country. The petitioners state that upon "the opening of the French wars the export of Saxon cotton goods to Spain and Italy became impossible, and that shipments to England were made with great difficulty"; that this "interruption in the regular trade worked greatly to the advantage of commerce with America", and that through the large trade in colonial wares from the West Indies and South America by way of the United States considerable profits were to be made by the sale of Saxon manufactures in the western hemisphere. Unfortunately, however, the Saxon manufacturer was dependent on Hamburg and Bremen and on the representations of young and often inexperienced men from these cities who had gone to America. He was unable to decide as to the reliability of American merchants, and since these traded only on extended credit, heavy losses had been incurred. All this the petitioners assert would be overcome by the appointment of a competent commercial agent.⁴¹

The question was again investigated with great care. A survey of previous action on the subject of Saxon-American relations was prepared, and the Commerce Commission and the merchants of

⁴⁰ Kgl. Sächs. H. S. A., Loc. 2420, f. 10ff.

⁴¹ *Ibid.*, Loc. 2610, toward the end of the volume. The petition was presented on May 8, 1801, and bears the signature of representative business houses of Budissin, Lobau, Herrnhut, Zittau, and Dresden.

Leipzig and Zittau were asked for their opinion.⁴² They reported favorably, while from Hamburg came a statement of trade possibilities by a former Saxon subject who had resided for five years in America, that gave the government much favorable material for thought.⁴³ He discussed the precise nature of Saxon trade interests in America and argued that the prospects for the future were excellent, since the United States must, from the very nature of things, remain for a long time dependent on Europe for her manufactures. Full reports on the whole subject were submitted in the spring of 1803, but because of the renewal of the wars and for other and more domestic reasons, no action was taken.

During the domination of the Continent by Napoleon, the prospects for direct commercial relations with America were too remote to receive much thought in Saxony, even if nearer and more immediate interests had not absorbed the attention of government and people. As is well known, the ports of Hamburg and Bremen were early brought under the Continental system, colonial wares were debarred, and thereby not only a barrier put across Saxony's line of communication with the outside world, but the very importations which were the necessary complement for a profitable export of her own manufactures were denied her. Into the question of how far these measures were successful and what was their effect upon Saxony's development, we cannot enter here. It may be said, however, that both English and colonial goods continued to make their appearance in abundance at the Leipzig fairs during all of this period.⁴⁴

After the overthrow of Napoleon at the great battle of Leipzig, there was an outburst of Saxon industry and trade. But it was not of long duration. To the exhaustion of the long wars were added the severe and unwise restrictions upon the commerce and industry of Germany which followed the reorganization of Europe at the Congress of Vienna. Nor was this all. What was equally disastrous to the infant industries of Saxony was the blighting effect of the unequal competition with England. For, as is well known,

⁴² Kgl. Sächs. H. S. A., Loc. 2420, ff. 74-91.

⁴³ The letter is by Krumbhaar and is dated at Hamburg, May 13, 1801. He is, so it turns out later, an aspirant for the position of agent.

⁴⁴ Cf. on this subject, A. König, *Die Sächsische Baumwollindustrie am Ende des vorigen Jahrhunderts und während der Kontinentalsperre* (Leipzig, 1899). Of interest is a report from Bourrienne to Napoleon in 1809 in which he gives a graphic account of the contraband trade in eastern Germany concluding with the opinion: "On peut regarder le commerce d'Angleterre avec l'Allemagne comme presque intièrement rétabli." *Département des Affaires étrangères, Correspondance Politique, Hamburg*, vol. 120, f. 276.

England had gone very much farther in her industrial development than the Continent, where the disturbing influences of the wars had retarded and in places entirely stopped an industrial revolution only just beginning when the French Revolution broke out. Thus we find that a few years after 1815 English goods began to appear again in such quantities at the Leipzig fairs that the Saxon manufacturers were threatened with ruin. As early as 1817, for example, the English agent Morier writes to Castlereagh from Dresden:

I have the satisfaction to inform your Lordship that the last Michaelmas Fair was much more favorable to British manufacturers. . . . Not only were there larger quantities of Manchester cottons and merchandise sold, but the prices were five per cent. better than before. And I am happy to add that notwithstanding this advance in the prices in our manufactures, they still undersold those of this country.⁴⁵

Here we have the key to much of the industrial struggle of Saxony as of other Continental states in the next two decades. The industrial crisis begun at this time lasted for many years. Capital was obliged to find new and more profitable fields of investment, while many of the old lines were abandoned or allowed to lie dormant for the time being.⁴⁶

As is usual under such conditions all sorts of expedients to obtain relief were tried. Among these, the development of new markets for Saxon goods, particularly in America, is again conspicuous. The first region where it took definite shape was on the Upper Elbe, not at Leipzig, because it was industry rather than trade that first felt the effect of English competition. In September, 1822, one Hoyer, of Neustadt bei Stolpen, wrote to a number of representative merchants at Dresden and other places, urging their co-operation in the formation of a "West-Indische Elb Seehandlungs Compagnie".⁴⁷ A petition to the government asking support for the project was drawn up. The object, it was urged, was to further the sale of home products and manufacture. His Majesty was humbly asked to subscribe for the stock of the company just as he had already done in connection with the Rhine West Indies Company of

⁴⁵ Public Record Office, B. T. 122, In Letters, no. 7.

⁴⁶ As an example of the new industries which sprang up or underwent a particularly rapid development at this time, the manufacture of artificial flowers may be cited. The small profits and the miserably small wages drove many of the cotton weavers into the new field. Cf. Alfred Meiche, *Die Anfänge der Kunstblumen Industrie in Dresden, Leipzig, Berlin, und Sebnitz* (Dresden, 1908).

⁴⁷ Through the courtesy of Herr Heinrich Colberla, I was able to find one of these original letters of Hoyer's in the Familien Acten of the well-known Colberla family of Dresden. Along with the letter is a draft of the petition which it is proposed to submit to the government in behalf of the project.

Elberfeld. But the Commerz-Deputation advised against active participation in an enterprise the success of which was as yet so problematical. Nevertheless the project continued to develop. New and important interests took it up. In a petition to the government in June, 1824, the names of wealthy Leipzig and Dresden business firms appear. The government is appealed to anew to interest itself in an active way by the purchase of stock. The irksome restrictions on commerce, the industrial depression, and the disadvantage of allowing the "Hamburgers, Altoners", etc., to monopolize Saxon trade, are all cogently urged in favor of the new company. Attention is drawn to similar companies in the Netherlands and England, and to the Rhine West Indies Company of Elberfeld. The necessity of united effort and combination for this distant trade which involved too many risks for private capital is also emphasized.⁴⁸

The preliminary steps toward organization which had already progressed considerably were now undertaken with vigor, and with a decidedly new bent. The name of the proposed company, for example, was changed from that of "Elb-West Indische Handlungs Compagnie" to that of "Elb-Amerikanische Compagnie", and the seat of government was to be, not on the Elbe, but at Leipzig. According to the by-laws presented for the approval of the government, the company was to be a joint-stock concern with a capital stock of 500,000 thalers, divided into 100 shares of 500 thalers each. Its object was the promotion of oversea trade in Saxon manufactures and other products—"den überseeischen Betrieb vaterländischer Fabrikate und Producte zu befördern". The management of the company's affairs was entrusted to a board of five directors, who must themselves be merchants and shareholders, and reside at Leipzig. The proposed statutes, twenty-seven in all, were with one exception approved by the government in July, 1825; and a well-organized corporate body for trade between Saxony and America was therefore ready to begin its activities by mid-summer of that year.⁴⁹

The printed report of the first year's business, which is referred to in one of the documents, I was unable to find. There is, however, a statement by the government's official agent which gives the essential facts. He reports that in general the sale of the goods sent to America had been successfully accomplished but that the depression

⁴⁸ Kgl. Sächs. H. S. A., Loc. 2503. "Acta, die Elb-Amerikanische Compagnie betrñ." Petition of June 16, 1824. The folios in this volume are not numbered and the references are therefore indicated by the date of the document.

⁴⁹ Two copies of the statutes and government documents in regard to their confirmation are found under date of July and August, 1825. *Ibid.*

in the commercial world was affecting the company adversely; that as a result only 564 of the 1000 shares of stock had been sold; that the directors were following a conservative policy; and that they besought the government to buy more stock, not only because of the financial assistance this would bring to the company, but also for the good effect this would have on its credit. Memorials from different groups of manufacturers setting forth the value of the company to Saxon industry accompany the petition. It was also suggested that with the development of the business of the company the government might see fit to enter into diplomatic negotiations with the United States with a view to obtaining a reduction of the duties on Saxon goods. Both proposals were recommended favorably and the government subscribed for five more shares of the stock.⁵⁰

But the times were against the success of the enterprise. The business depression, of which pitiful petitions from the industrial sections give ample evidence at this time, was great.⁵¹ In their report to the government in October, 1827, the directors again dwelt upon the hard times everywhere prevalent, and on the new and increasingly severe customs regulations on the Continent, particularly in Germany, which affected very unfavorably the prosperity of Saxon manufactures and their sale abroad. It was becoming well-nigh impossible for even the largest manufacturers to sell goods on their own account in America. On the other hand, dealing through the commission houses of the seaports was equally unsatisfactory, goods being often returned. Hence the great need of the Elb-American Company. It had accomplished a good deal during the three years of its existence, despite the fact that only 663 shares of the capital stock had been sold. The total of its business amounted to 794,000 thalers, accounted for mostly in Saxon wares—cottons, linens, wool, iron, and brass—sold in America.⁵²

⁵⁰ *Ibid.* "Communication an das Geheime Finanz Collegium", August 5, 1826.

⁵¹ On October 18, 1827, twenty-one of the manufacturers at Bautzen declare, "Die alljährlich sich mehrende und an Strenge zunehmende Zolleinrichtungen im Innern von Deutschland hemmen allenthalben den freien Verkehr." They go to the Leipzig fair but make little more than expenses. "Mit blutenden Herzen sind wir zu unsern Familien und Arbeitern zurückgekehrt. Sie verlangen Arbeit und Unterhalt und wir finden nicht mehr die Mittel diese zu gewähren", etc. Interesting too is the fact that, as in 1778, so now, the hope of relief through American markets finds expression. *Ibid.*, October, 1827.

⁵² These figures fall somewhat short of the detailed statement of the directors submitted to the government on February 27, 1828, in response to a demand by the Commerz-Deputation. According to this, the year 1826 had brought a loss to the company of 62,000 thalers, while 1827 showed a profit of from 15 per cent. to 20 per cent., some of which had been already realized. To the report is appended the usual petition for royal support. Would his majesty not subscribe for the 337 shares of stock still unsold? *Ibid.*, February 8, 1828.

The government was apparently greatly impressed with the claims made for the company. From an order to the finance committee it appears that another hundred shares of the stock was ordered to be purchased on its account. But before these were transferred, news of difficulty within the company reached the government. On investigation it was found that the treasurer had muddled the accounts, and that the affairs of the company were in bad shape.⁵³ At a general meeting on June 12, 1828, the company found itself obliged, in accordance with its own statutes, to go into liquidation. Some of the shareholders petitioned the directors to continue the business on their private account, while the Rhine West Indies Company offered to take over the business and open an office at Leipzig. But the insignificant further developments need not concern us here.

More important is the other outcome of Saxony's interest in America at this time. During the years of the activity of the Elb-American Company the movement for the establishment of Saxon consuls in the leading American ports was successfully carried out through the mediation of Alexander H. Everett, the American minister at Madrid. In February, 1825, the Saxon ambassador to Spain wrote that the Netherlands were appointing consuls "to all ports in America".⁵⁴ Saxony too should be represented, and he urged the government to consider the matter. This it did in the course of the next year, deciding to appoint consuls in three American cities. Mr. Everett was entrusted with the task of finding persons suitable for the positions.⁵⁵ On June 19, 1826, he wrote: "Agreeably to the request of M. de Könneritz, I wrote to Mr. Charles Augustus Davis, senior partner of the house of Davis and Brooks of New York, proposing to him to be considered as a candidate for the place of Saxon consul at that port." Mr. Davis accepted, and at the same time recommended Robert Ralston for the post in Philadelphia. Richard H. Douglas was named for the post in Baltimore.

Before the appointments could be made, August Mensch, a merchant who was closely in touch with Saxon commercial interests in America, and who had personally contributed greatly toward the appointment of an American consul, Mr. Göhering, at Leipzig, a short time before, was put forward as a candidate for the consulship at New York.⁵⁶ Mensch was warmly supported by the Saxon

⁵³ Cf. the report by Sohn of May 2, 1828, to the Secretary of State.

⁵⁴ Kgl. Sächs. H. S. A., Loc. 31719, "Acta, Die Anstellung und Beglaubigung des Königl. Konsuls in New York betr."

⁵⁵ *Ibid.* Letter of Mr. Everett from Madrid, June 19, 1826.

⁵⁶ *Ibid.* Entry of August 2, 1826.

merchants and received the appointment.⁵⁷ But the government had acted without due appreciation of the situation at Madrid, Mr. Everett having already obtained the consent of Mr. Davis to accept the post at New York.⁵⁸ To rid itself of a somewhat embarrassing situation the government decided to appoint a "Consul general of Saxony to the United States", and for this post Mr. Davis was duly nominated.⁵⁹ The instructions to the newly appointed consuls show how thoroughly the government of Saxony had been awakened to the possibilities of trade with America. The credentials were duly presented at Washington and made public through the usual channel by the Department of State. Mr. Davis's letter of acceptance and oath were sent to Count von Einsiedeln on September 20, 1827. This, together with the failure of the Elb-American Company in 1828, marks the conclusion of a movement which extended, as we have seen, over half a century.

WILLIAM E. LINGELBACH.

⁵⁷ Cf. "We, Frederick August, by the Grace of God, King of Saxony—hereby make known and declare, Since we have considered it advantageous for the promotion of the commerce and intercourse of our lands with that of the United States to erect consulships in New York, Philadelphia and Baltimore, we have appointed for that purpose the merchant, August Mensch, Robert Ralston, Richard Henry Douglas, Esq." *Ibid.* Patent by Graf von Einsiedeln.

⁵⁸ *Ibid.* Letter from Mr. Everett of February 20, 1827.

⁵⁹ *Ibid.* Patent of March 28, 1827. The position was later, in July, 1833, abolished.

THE TRENT AFFAIR¹

IN November, 1861, the country had been on tenter-hooks, so to speak, for twelve entire months, and during the last six of those months one mortification and failure had followed sharp on another. The community, in a state of the highest possible tension, was constantly hoping for a successful coup somewhere and by someone executed in its behalf. It longed for a man who would do, taking the responsibility of the doing. While it was in this state of mind, the telegraph one day announced that the United States sloop of war *San Jacinto*, under the command of Captain Wilkes, had arrived at Fortress Monroe, having on board the two Confederate envoys, Mason and Slidell, taken on the high seas from the British mail steamer *Trent*. At last the hour seemed come and with it a man. By one now seeking an explanation of what then occurred, all this must be borne in mind.

Thus worked up to the highest pitch of excitement, the feeling of the country had also been slowly fermenting to one of acute hostility towards Great Britain; and this for two reasons. In the first place, it had seemed as if, in view of its anti-slavery preaching during the last thirty years, and its somewhat Pharisaic, better-than-thou attitude towards America as respects the negro and his condition, Great Britain had failed to evince that sympathy towards us which was expected because of the slaveholders' rebellion, and had, to say the least, done nothing to forward the cause of the Union in a crisis brought on by the aggressive action of the South. On the contrary, the attitude of England in general had been sneering as well as adversely critical; and the tone of the London *Times*, in particular—for the *Times*, still known as "The Thunderer", was recognized as the first and most influential newspaper in the world—had been distinctly unsympathetic, not to say antagonistic, and otherwise acutely irritating. William H. Russell, the famous Crimean War correspondent, was also at that time in this country, and his letters regularly appearing in the *Times* as "from our Special Correspondent", were republished and read in America to an extent which can hardly now be understood. Anxiously waited for, and printed *in extenso* in all the leading journals, extracts from them

¹ In expanded form, with some seventy pages of supporting documents, this paper will appear in the next volume of the *Proceedings of the Massachusetts Historical Society*.

were to be found in every paper in the land. Russell had been to a certain extent present at Bull Run, and a witness of our disgrace. While his account of what he saw on that occasion was photographic and strictly correct, we none the less had become morbidly conscious that there was "a chiel amang [us] taking notes", and the "notes" he took when seen in "prent" caused a degree of irritation at this day difficult to describe or overstate. Thus morbidly excited and intensely sensitive, the country was in a thoroughly unreasoning and altogether unreasonable condition, very necessary now to emphasize; for it needed only the occurrence of some accident to lead to a pronounced explosion of what can only be described as Anglophobia. Discouraged, we had in fact only begun to settle down to the conviction that a long and uncertain struggle was before us. With all conditions, therefore, explosive, so to speak, in character, the incident of the *Trent* came like a bolt from a clouded and lowering sky; but it was a shell exploding in a powder magazine rather than a spark falling in a mass of combustible matter.

The course of events, briefly stated, was as follows: Immediately after the firing upon Fort Sumter, Jefferson Davis, president of the then newly organized Confederate States, had sent out to Europe agents to forward the interests of the proposed nationality. These agents had there spent some seven months, accomplishing little. Disappointed at their failure, Davis determined upon a second and more formal mission. The new representatives were designated as "Special Commissioners of the Confederate States of America, near the Government" whether of Great Britain or of France, as the case might be. James Murray Mason of Virginia and John Slidell of Louisiana were selected, the first named for London, the second for Paris. Both, it will be remembered, had recently been senators of the United States, Slidell having withdrawn from the Senate February 4, 1861, immediately after the passage of the Ordinance of Secession by the state of Louisiana; while Mason, having absented himself about March 20, during the session of the Senate for executive business, did not again take his seat. Virginia seceded April 17, and Mason, together with several other Southern senators, was in his absence expelled by formal vote (July 11) at the special session of the Thirty-Seventh Congress, which met under the call of President Lincoln, July 4, 1861. Probably no two men in the entire South were more thoroughly obnoxious to those of the Union side than Mason and Slidell. The first was, in many and by no means the best ways, a typical Virginian. Very provincial and intensely arrogant, his dislike of New England, and especially of

Massachusetts, was pronounced, and exceeded only by his contempt. Slidell, on the other hand, an intriguer by nature, unscrupulous in his political methods, was generally looked upon as the most dangerous person to the Union the Confederacy could select for diplomatic work in Europe. The first object of the envoys was to secure the recognition of the Confederacy. The ports of the Confederate States were then blockaded; but the blockade had not yet become really effective. The new envoys selected Charleston as their port of embarkation, and October 12 as its date. The night of the 12th was dark and rainy, but with little or no wind, conditions altogether favorable for their purpose. They left Charleston on the little Confederate steamer *Theodora*, evaded the blockading squadron, and reached New Providence, Nassau, two days later, the 14th. It had been the intention of the envoys to take passage for Europe at Nassau on an English steamer; but, failing to find one which did not stop at New York, the *Theodora* continued her voyage to Cardenas in Cuba, whence the envoys and those accompanying them proceeded overland to Havana. Arriving at Havana about the 22d of October, Messrs. Mason and Slidell remained there until the 7th of November. They then embarked on the British steamer *Trent*, the captain of the *Trent* having full knowledge of their diplomatic capacity as envoys of an insurgent community, and giving consent to their embarkation. The *Trent* was a British mail packet, making regular trips between Vera Cruz, in the Republic of Mexico, and the Danish island of St. Thomas. She was in no respect a blockade-runner; was not engaged in commerce with any American port; and was then on a regular voyage from a port in Mexico, by way of Havana, to her advertised destination, St. Thomas, all neutral ports. At St. Thomas direct connection could be made with a line of British steamers running to Southampton. The envoys, therefore, when they left Havana, were on a neutral mail steamer, sailing under the British flag, on a scheduled voyage between neutral points.

At just that time the United States war steamer, *San Jacinto*, a first-class screw sloop mounting fifteen guns, was returning from a cruise on the western coast of Africa, where for twenty months she had been part of the African squadron engaged in suppressing the slave-trade. She was commanded by Captain Wilkes, who had recently joined her. Returning by way of the Cape Verde Islands, Captain Wilkes there learned from the newspapers about the last of September of the course of public events in the United States, and rumors reached him of Confederate privateers, as they were then called, destroying American vessels in West India waters. He

determined to make an effort at the capture of some of these "privateers". On October 10 the *San Jacinto* reached the port of St. Thomas, and subsequently touched at Cienfuegos on the south coast of Cuba. There Captain Wilkes learned, also from the newspapers, that the Confederate envoys were at that very time at Havana, and about to take passage for Southampton. Reaching Havana on the 28th of October, the commander of the *San Jacinto* further learned that the commissioners were to embark on the steamer *Trent*, scheduled to leave Havana on the 7th of November. Captain Wilkes then conceived the design of intercepting the *Trent*, exercising the right of search, and making prisoners of the envoys. No question as to his right to stop, board, and search the *Trent* seems to have entered the mind of Captain Wilkes. He did, however, take into his confidence his executive officer, Lieutenant Fairfax, disclosing to him his project. Lieutenant Fairfax entered, it is said, a vigorous protest against the proposed action, and strongly urged on Captain Wilkes the necessity of proceeding with great caution unless he wished to provoke international difficulties, and not impossibly a war with Great Britain. He then suggested that his commanding officer consult an American judge at Key West, an authority on maritime law; which, however, Captain Wilkes declined to do. Leaving Key West on the morning of November 5, Captain Wilkes directed the course of the *San Jacinto* to what is known as the Bahama Channel, through which the *Trent* would necessarily pass on its way to St. Thomas, and there stationed himself. About noon on the 8th of November, the *Trent* hove in sight, and when she had approached sufficiently near the *San Jacinto*, a round shot was fired athwart her course; the United States flag was run up at the mast-head at the same time. The approaching vessel showed the English colors, but did not check her speed or indicate a disposition to heave to. Accordingly, a few instants later, a shell from the *San Jacinto* was exploded across her bows. This had the desired effect. The *Trent* immediately stopped, and a boat from the *San Jacinto* proceeded to board her. It is unnecessary to go into the details of what then occurred. For present purposes it is sufficient to say that the two envoys, together with their secretaries, were identified and forcibly removed, being taken on board the *San Jacinto*; which, without interfering with the mails or otherwise subjecting the *Trent* to search, then laid its course for Fortress Monroe. Arriving there on the 15th, news of the capture was immediately flashed over the country. The *Trent*, on the other hand, proceeded to St. Thomas, where her passengers were transferred to another steamer, and com-

pleted the voyage to Southampton. They arrived and the report of the transaction was made public in Great Britain November 27, twelve days after the arrival of the *San Jacinto* at Fortress Monroe, and the publication of the news of the arrest in the United States.

While a storm of enthusiastic approval was sweeping over the northern part of the United States in the twelve days between November 15 and November 27, a storm of indignation of quite equal intensity swept over Great Britain between November 27 and the close of the year.² Most fortunately there was no ocean cable in those days, and the movement of the Atlantic steamers was comparatively slow. Accordingly the first intimations of the commotion caused in Great Britain by the action of Captain Wilkes did not reach America until the arrival of the *Hansa* at New York, December 12. Strange as it now seems, therefore, almost an entire month had elapsed between the arrival of the *San Jacinto* at Fortress Monroe (November 15) and the receipt in America (December 12) of any information as to the effect of the seizure of the envoys on the British temper. A most important fact to be now borne in mind.

In reading the accounts of what occurred in America between November 15 and December 26, and seeing the recorded utterances of persons whose names carried authority, it is now most curious to observe the confusion of idea which seemed to exist as to the principles of international law involved, and the apparent utter inability of all concerned to exercise their reason to the extent of preserving consistency of thought or action. Seen through the perspective of fifty years, it may now with reasonable assurance be asserted that, in the controversy which ensued, the United States did not have, and never had, in reality, a justifying leg to stand upon, and least of all was there any possible justification for the course pursued by Captain Wilkes. In the first place, Wilkes, commanding a United States ship-of-war, had not been in communication with his government for months. He had received no instructions; he was not even officially advised of the existence of a blockade; and only

² Two exceptionally well-informed Americans, long resident in Great Britain, then wrote, the one from London to Mr. Seward, and the other from Edinburgh to his uncle, a citizen of New York: "There never was within memory such a burst of feeling as has been created by the news of the boarding of the [*Trent*]. The people are frantic with rage, and were the country polled, I fear that 999 men out of a thousand would declare for immediate war. Lord Palmerston cannot resist the impulse if he would"; the other, under the same date, November 29: "The excitement consequent upon the insult to the British flag by the U. S. Frigate, *San Jacinto*, has entirely monopolized the public mind. I have never seen so intense a feeling of indignation exhibited in my life. It pervades all classes, and may make itself heard above the wiser theories of the Cabinet officers." *Official Records of the War*, second series, II. 1107, 1131.

through the newspapers and current gossip did he know of the attitude his own government had assumed towards the so-called Confederacy. According to his own statement subsequently made, he did have some treatises on international law in the cabin of the *San Jacinto*, and he consulted them.³ From these he satisfied himself that accredited envoys were "contraband"; but he ignored the fact that the Confederacy had not been recognized by the United States government, or by any foreign government, and that the so-called "envoys" were merely "private gentlemen of distinction", citizens of certain states then in insurgency, trying to effect a transit to foreign countries. They were unquestionably embarked under a neutral flag, upon a mail steamer making its regular passage from one neutral port to another. Nevertheless, *pro hac vice*, Commodore Wilkes invested the envoys in question with an official character which his government distinctly refused to allow them, and then proceeded, on the assumption that ambassadors were "embodied despatches", to exercise on the high seas a right of search of a most questionable character; and, in so doing, he further constituted him-

³"When I heard at Cienfuegos on the south side of Cuba of these commissioners having landed on the Island of Cuba and that they were at Havana and would depart in the English steamer on the 7th of November, I determined to intercept them and carefully examined all the authorities on international law to which I had access, viz., Kent, Wheaton and Vattel, besides various decisions of Sir William Scott and other judges of the admiralty court of Great Britain which bore upon the rights of neutrals and their responsibilities." Official report of Captain Wilkes to Secretary of the Navy. *Official Records*, second series, II, 1098.

The quite unintelligible and somewhat ludicrous state of what is termed Law, of the international variety, so far as the topic here in question is concerned, is presented in a concrete shape in Moore's *Digest*, VII, 768-779. The authorities are there cited and the discussions of the *Trent* precedent referred to. The difficulty seems to arise from the attempt seriously made to apply the principles laid down by Vattel, etc., and the precedents established by Lord Stowell to present conditions. The existence of modern lines of common-carrier transportation of passengers, merchandise, and mails under neutral flags between points not actually blockaded—lines like the Peninsular and Oriental, the Cunard and the White Star—seems not to have occurred to the publicists; while in fact the applying to the ships of such lines the rules under which Captain Wilkes thought he proceeded, and the application of which Mr. Seward afterwards gravely discussed, is hardly less opposed to reason and common-sense than would be the attitude and efforts of a tailor who endeavored to adjust the dress of a seven-year-old boy to the body and limbs of the same boy when grown to be a man of unprecedented size. In each case the attempt is, or would be, unfortunate, and lead inevitably to results unexpected if not impossible. This apparently is the one real lesson the world derived from the *Trent* affair. It seems to be questionable, however, whether either the statesmen at the time took in the fact or the publicists since have realized it, and the consequent utter futility of what they attempted. Let the investigator substitute *Lusitania* for *Trent*, and consider what would necessarily result.

self, in the person of his subordinate, a prize court, adjudicating on the deck of a neutral ship forcibly halted in its passage as to what personages should be seized, what persons and property should be exempted from seizure, as to how far the process of search should be carried, and generally what course under the conditions given should be pursued. Accordingly, while forcible possession was taken of the persons of the two envoys, no inquiry whatever was made as to their despatch bags, which, when the purpose of the procedure was suspected, had been handed over by the commissioners to the British mail agent, and been by him deposited in his mail-room. They were subsequently in due course delivered to the agents of the Confederacy in England.

Personally, I have a vivid recollection of the day when the news of the seizure was flashed to Boston, and hurriedly placarded on the newspaper bulletin-boards.⁴ A youthful legal practitioner, I was then a man of twenty-six. I had studied, or made an at least honest pretense of so doing, in the office of Richard H. Dana, jr. Mr. Dana was deemed as high an authority on maritime law as there was at the American bar. Reading the announcement on the bulletin-board, I hurried up to his office, and communicated the startling news. Well do I remember his reception of it. His face lighted up, and, clapping his hands with satisfaction over the tidings, he expressed his emphatic approval of the act, adding that he would risk his "professional reputation" on its legality. And this was the view universally expressed and generally accepted. .

The *San Jacinto*, having put into Fortress Monroe on the 15th of November, was, for various reasons, ordered to proceed at once to New York, and thence to Boston, there to deliver its prisoners for safe-keeping. Captain Wilkes anchored his ship in Boston Harbor on the 24th of November, and two days later a banquet was given him and his officers at the Revere House, the Hon. J. Wiley Edmands presiding. Mr. Edmands, prominent among the solid business men of Boston of that period, lived at Newton and was treasurer of the Pacific Mills; a Webster Whig in politics, he had been a member of the Thirty-third Congress. The speakers on this occasion seemed to vie with each other in establishing a record from which thereafter it would be impossible to escape. For instance, John A. Andrew, then governor of Massachusetts, a man really great but of somewhat impulsive disposition, had been present in

⁴ Saturday, November 16. On the afternoon of that day the following despatch was sent from Washington: "The intelligence of the capture of Slidell and Mason has diffused the greatest possible joy among all the citizens, including the Government officials from the President down to the humblest messenger."

the office of the Secretary of the Navy when the news of the seizure came in. Literally swept off his feet, he had then sprung upon a chair and been prominent in the tumult of cheering which followed the announcement. He now at this banquet declared that the act of Captain Wilkes had shown "not only wise judgment, but [was marked by] manly and heroic success". He referred to it as "one of the most illustrious services that had made the war memorable"; and then most unnecessarily capped the climax of indiscretion by declaring to a delighted audience "that there might be nothing left [in the episode to] crown the exultation of the American heart, Commodore Wilkes fired his shot across the bows of the ship that bore the British Lion at its head". On the same occasion George T. Bigelow, then chief justice of Massachusetts, committed himself to an almost though not quite similar extent. First he voiced the very prevalent feeling already referred to, saying: "In common with all loyal men of the North, I have been sighing, for the last six months, for some one who would be willing to say to himself, 'I will take the responsibility'; and who would not only say this, but when the opportunity offered would take the responsibility." The chief justice of our supreme court then went on to declare that "Commodore Wilkes acted more from the noble instincts of his patriotic heart, than from any sentence he read from a law book"; adding that, under such circumstances, "a man does not want to ask counsel, or to consult judges upon his duty; his heart, his instinct, tells him what he ought to do". Well might the *London Times* in commenting on the affair observe shortly after, "These are wild words from lawyers." Captain Wilkes then, in language indicative of singular confusion of thought, said that before he had decided on his course, he had examined the authorities, and satisfied himself that these so-called envoys had none of the rights attaching to such functionaries when properly appointed; and, concluding that it was within his function to capture written despatches, assumed consequently that he had a right to take from under a neutral flag personages of distinction as the embodiment of despatches.⁵

At Washington the Secretary of the Navy next addressed a congratulatory letter to Captain Wilkes on the "great public service" he had rendered, giving to his proceeding the "emphatic approval of this department". He, however, took pains to insist that the forbearance of the commander of the *San Jacinto* in this instance in not seizing the *Trent* and sending it into port for adjudication

⁵ An account of the banquet will be found in the *Boston Evening Transcript*, November 27, 1861.

by a prize court "must by no means be permitted to constitute a precedent hereafter for the treatment of any case of similar infraction of neutral obligations". In his annual official report a few days later, Secretary Welles further stated that the "prompt and decisive action of Captain Wilkes on this occasion merited and received emphatic approval". On Monday, December 2, Congress assembled, and before the close of the first day's session Mr. Lovejoy, of Illinois, offered a joint resolution thanking Captain Wilkes, "for his brave, adroit and patriotic conduct in the arrest and detention of the traitors, James M. Mason and John Slidell". This resolution was passed by a unanimous vote; and, furthermore, the President was requested to present to Captain Wilkes "a gold medal with suitable emblems and devices, in testimony of the high sense entertained by Congress of his good conduct", etc.⁶ As to the irresponsible outpourings and journalistic utterances of those delirious three weeks, it is no exaggeration to say that, read to-day, they are more suggestive of the incoherences of the inmates of an insane asylum than of any well-considered expression of the organs of a sober and policed community—a community which only half a century before had gone to war in defense of the great principles of immunity from ocean search and seamen's rights.

But most noticeable and, perhaps, most suggestive of all the phases of that madness, were the utterances of the publicists, the supposed authorities on international law and those who should have shown themselves the calmly poised leaders of public opinion. Here are some of them: Theophilus Parsons was Dane professor of law at Harvard. Professor Parsons hurried into print with the following dictum: "I am just as certain that Wilkes had a legal right to take Mason and Slidell from the *Trent*, as I am that our Government has a legal right to blockade the port of Charleston." Caleb Cushing, in the administration of Franklin Pierce attorney-general of the United States, was a publicist, and a reputed legal authority. Mr. Cushing now wrote: "To conclude then: In my judgment, the act of Captain Wilkes was one which any and every self-respecting nation must and would have done by its own sovereign right and power, regardless of consequences. It was an act which it cannot be denied Great Britain would have done under the same circumstances. At the same time, it was an act amply justified by the principles and doctrines of international jurisprudence."

I have already referred to R. H. Dana, and his exclamation on

⁶ *Official Records*, second series, II. 1113.

first hearing of Captain Wilkes's performance. Mr. Dana now wrote in an unsigned communication to the *Boston Advertiser*:

In the present case, the mission [of the two envoys] is in its very nature necessarily and solely a mission hostile to the United States. It is treason within our municipal law, and an act in the highest degree hostile within the law of nations. If a neutral vessel intervenes to carry such persons on such a mission she commits an act hostile in the same degree. . . . We rather look to see Mr. Seward or Mr. Adams call the immediate attention of Her Majesty's Government to this violation of neutrality than to see Lord Lyons or Earl Russell addressing our Government on the subject.

Finally, Edward Everett, formerly the representative of the country at the Court of St. James and an ex-secretary of state, than whom no one stood higher in general estimation as an authority on topics of this character, thus publicly expressed himself:

You see that there is not the slightest ground for apprehension that there is any illegality in this detention of the mail packet; that the detention was perfectly lawful, the capture was perfectly lawful, their confinement in Fort Warren will be perfectly lawful, and as they will no doubt be kept there in safety until the restoration of peace—which we all so much desire—we may, I am sure, cordially wish them a safe and speedy deliverance.⁷

But the time at our disposal would not nearly admit of going through all the kaleidoscopic phases of this singular but most inter-

⁷ There has been a diversity of statement as respects Lewis Cass and his attitude and utterances in this connection. By some it has been asserted that he also was positive that the action of Captain Wilkes was justifiable, both on principle and by precedent. Such, however, was in no degree the case. On the contrary, the only recorded expression of opinion by Mr. Cass is refreshing from its correctness; its practical view of the matter also strongly coincided with what Lord Palmerston, as it will be seen, had said to Mr. Adams shortly before. The conclusions of General Cass are found in a letter addressed to Secretary Seward from Detroit, on the 19th of December, 1861. In his retirement from active political life, General Cass then wrote: "Though I think it was justifiable upon the grounds laid down and acted upon by England, yet I considered it a most useless and unfortunate affair—an affair which from its evident importance should never have been undertaken by Captain Wilkes without express orders from his Government, and his interference is the more inexcusable as he states in his report that in his search into the authorities upon the law of nations he could find no such case decided and was brought to consider the rebel commissioners as the 'embodiment of despatches'—I think is his phrase—in order to justify the arrest; a strange reason to be officially given for such a procedure. And what has amazed me more than anything else in this whole affair are the laudations bestowed upon Captain Wilkes for his courage in taking three or four unarmed men out of an unarmed vessel." *Official Records*, second series, II. 1132. This position was all the more significant as Cass, when secretary of state, had clearly and fully laid down the American principles of neutral rights in a despatch, June 27, 1859, addressed to John Y. Mason, then minister to France.

esting and instructive international episode. The point of view now changes. We must imagine ourselves in London, and Englishmen.

On Tuesday, November 12, four days after the actual seizure of Messrs. Mason and Slidell, but fifteen days before an intimation of it reached England, Mr. Adams, then representing the country at the Court of St. James, made this diary entry, "Received a familiar note from Lord Palmerston, asking me to call and see him between one and two o'clock." The note, of the briefest possible character, read as follows:

94 PICCADILLY, 12 NOV., 1861.

MY DEAR SIR:

I should be very glad to have a few minutes conversation with you; could you without inconvenience call upon me here today at any time between one and two.

Yrs faithfully

PALMERSTON.

The Honbl. Mr. Adams.

Though Mr. Adams had at this time been nearly six months in London, his official relations had been exclusively with Earl Russell; and, though he had met Lord Palmerston several times, and more than once been a guest at Cambridge House, their intercourse had been social only. A few days before, Mr. Adams had been present at the Lord Mayor's dinner, and had been one of the speakers on that occasion. In his diary entry is the following: "The only marking speech being one from Lord Palmerston which had his customary shrewdness. He touched gently on our difficulties and at the same time gave it clearly to be understood that there is to be no interference for the sake of cotton." Shortly after, but before the news of the *Trent* affair arrived, Mr. Adams made the following further diary entry:

In the evening Mrs. Adams and I went by invitation to Lady Palmerston's. A few persons only, after one of her dinners. We had been invited to dine ourselves, last Saturday, and are again invited for next Saturday evening. This civility is so significant that it must by no means be declined. . . . I touched Lord Palmerston a little on the event of the day [the burning of the *Harvey Birch* by the Confederate cruiser *Nashville*], and reminded him of the connection which the *Nashville* had with our former conversation. He seemed good-natured and rather desirous to get information as to grounds on which to act.

The relations between the two men had accordingly thus far been of an altogether friendly character. The diary entry of November 12 goes on as follows:

This [Lord Palmerston's note] took me by surprise, and I speculated on the cause for some time without any satisfaction. At one o'clock I

drove from my house over to his, Cambridge House in Piccadilly. In a few minutes he saw me. His reception was very cordial and frank. He said he had been made anxious by a notice that a United States armed vessel^{*} had lately put in to Southampton to get coal and supplies. It had been intimated to him that that object was to intercept the two men, Messrs. Mason and Slidell, who were understood to be aboard the British West India steamer expected to arrive tomorrow or next day. He had been informed that the Captain, having got gloriously drunk on brandy on Sunday, had dropped down to the mouth of the river yesterday as if on the watch. He did not pretend to judge absolutely of the question whether we had a right to stop a foreign vessel for such a purpose as was indicated. Even admitting that we might claim it, it was yet very doubtful whether the exercise of it in this way could lead to any good. The effect of it here would be unfavorable, as it would seem as if the vessel had come in here to be filled with coal and supplies, and the Captain had enjoyed the hospitality of the country in filling his stomach with brandy, only to rush out of the harbor and commit violence upon their flag. Neither did the object to be gained seem commensurate with the risk. For it was surely of no consequence whether one or two more men were added to the two or three who had already been so long here. They would scarcely make a difference in the action of the government after once having made up its mind.

The extreme significance of the intimation thus unofficially and pleasantly conveyed was not apparent at the time; indeed it was not fully disclosed until half a century later. Mr. Adams never knew the motive cause of the interview he was describing, and consequently never appreciated the really kind purpose behind this most friendly action of the man at the head of the government to which he was accredited. It was an effort to forestall and prevent an international complication even more objectless than it was dangerous, a senseless wrangle over two men who were of no consequence anyway.

To appreciate the true significance of the interview described in his diary by Mr. Adams it is necessary to bear in mind that it took place on the 12th of November, the Confederate envoys having been taken on the 8th from the *Trent*. On the day preceding his talk with Mr. Adams, Lord Palmerston, it now appears, had addressed the following letter to J. T. Delane, the editor of the *Times*:

94, PICCADILLY, November 11, 1861.

MY DEAR DELANE:

It may be useful to you to know that the Chancellor, Dr. Lushington, the three Law Officers, Sir G. Grey, the Duke of Somerset, and myself, met at the Treasury today to consider what we could properly do about

^{*} The *James Adger*, commanded by Captain J. B. Marchant. In regard to this incident, see *Charles Francis Adams* (American Statesmen series), pp. 222-224; *Records of Union and Confederate Navies*, I. 128, 224; Adams, *Studies: Military and Diplomatic*, p. 394.

the American cruiser come, no doubt, to search the West Indian packet supposed to be bringing hither the two Southern envoys; and, much to my regret, it appeared that, according to the principles of international law laid down in our courts by Lord Stowell, and practised and enforced by us, a belligerent has a right to stop and search any neutral not being a ship of war, and being found on the high seas and being suspected of carrying enemy's despatches; and that consequently this American cruiser might, by our own principles of international law, stop the West Indian packet, search her, and if the Southern men and their despatches and credentials were found on board, either take them out, or seize the packet and carry her back to New York for trial. Such being the opinion of our men learned in the law, we have determined to do no more than to order the *Phaeton* frigate to drop down to Yarmouth Roads and watch the proceedings of the American within our three-mile limit of territorial jurisdiction, and to prevent her from exercising within that limit those rights which we cannot dispute as belonging to her beyond that limit.

In the meanwhile the American captain, having got very drunk this morning at Southampton with some excellent brandy, and finding it blow heavily at sea, has come to an anchor for the night within Calshot Castle, at the entrance of the Southampton river.

I mention these things for your private information.

Yours sincerely,

PALMERSTON.

And, the following day, immediately after his talk with Mr. Adams, he further wrote:

MY DEAR DELANE:

I have seen Adams today, and he assures me that the American paddle-wheel was sent to intercept the *Nashville* if found in these seas, but not to meddle with any ship under a foreign flag. He said he had seen the commander, and had advised him to go straight home; and he believed the steamer to be now on her way back to the United States. This is a very satisfactory explanation.

Yours sincerely,

PALMERSTON.

While the opinion of the officers of the crown referred to was no mystery at the time, and is mentioned, though in much more general language, by Spencer Walpole in his *Life of Lord Russell*,⁹ yet the statement here made of that opinion by Lord Palmerston is well calculated to excite surprise. It will be noticed that the officers referred to—the Lord Chancellor, Westbury, and Dr. Lushington being among them—are said to have laid it down as law that the belligerent had a right to stop and search any neutral, not being a ship-of-war, on the high seas, suspected of carrying enemy's despatches. Consequently, then, in this case, the Southern insurgents having been granted belligerent rights, the *San Jacinto* might, on

⁹ II. 354-356.

English principles of international law, stop the *Trent*, search her, and if the Southern men were on board, either do exactly what Captain Wilkes had already just done—take them out, and then allow the packet to proceed on its voyage—or seize the packet and carry her to some American port for trial and adjudication as prize.

Here is indeed another turn of the *Trent* kaleidoscope—a British turn! That just half a century ago such an opinion as this should have been advanced as accepted international law seems incredible. It indicates clearly how confused, as well as archaic, the principles of that law were at the time in question in the minds of those supposed to be learned in it. No war involving maritime rights to any considerable extent had occurred since Waterloo. The precedents established in the English prize courts in the days of Napoleon's Continental System and the British Orders in Council, and the principles then laid down, utterly regardless as they notoriously had been of the rights of neutrals, were still held to be law. Those precedents and rulings were of the most miscellaneous description and arbitrary character. Meanwhile, the world had progressed. It is, therefore, simply astounding to us in 1912 that the law-officers of the crown should in 1861 have advised Her Majesty's government that an American ship-of-war might lie in the straits of Dover, and, having reason to suppose that an emissary of the Confederacy, carrying despatches, was on a certain steamer—the Calais packet, for instance—could stop the steamer in question, subject it to search, and either take out the envoy referred to, and his despatches, leaving the steamer then to complete its course, or could pronounce her a prize of war for violation of neutrality, and send her into port for adjudication! The thing is too absurd for a moment's consideration. Yet then it seems to have been laid down as the accepted law of Great Britain; and according to Lord Chancellor Westbury and Dr. Lushington, Mr. George Sumner, the brother of the senator of the same name, was not wrong when at this time (November 22) he wrote to the New York *Tribune* that, "The act of Commodore Wilkes was in strict accordance with the principles of international law recognized in England, and in strict conformity with English practice." One American at least seems here to have then spoken correctly and by the book. He said "English principles" and "English practice"! If it was law and practice in Great Britain then, it was law and practice nowhere else; least of all in the United States.

But was the position thus taken sound as a proposition of even British law? This is open to grave question; nor did it pass unchallenged at the time. The point was well put by the Duke of

Argyll, himself a member of the British ministry, in a letter to Mr. Adams written on the 25th of the following January. Referring to the objection subsequently made to the act of Captain Wilkes that the *Trent* was not taken into port for adjudication, he characterized it as one made on "a narrow and technical ground". He then proceeded as follows:

This is a very minor objection, tho' so far as it goes, a sound one. But the real objection I hold to be a much stronger one, *viz.*, that a neutral vessel, with a bona fide, *neutral destination*, cannot contain contraband of war at all, and that civilians, especially, bound for a neutral country cannot, under any circumstances, be held to be subject to seizure as Contraband. I venture to affirm that no decision of any of our Judges, nor any act of our Government can be cited as inconsistent with this doctrine.

This, even if advanced by a layman, was certainly good sense, and probably sound law. Admitting, however, that as a mere proposition of existing law, wise or not wise as a question of policy, the British precedents and practice were as laid down by the law-advisers of the crown, if such a contingency as that of the *Trent* arose, there was but one course to be pursued by any self-respecting nation. If such was once the law, the world had outgrown it; it was law no longer. In any event, it could not possibly be observed as such by any nation powerful enough to set it at naught. The case did not admit of argument.

The course, therefore, to be pursued by the British government under the circumstances which then confronted it, was simple, and exactly the course that was pursued. The matter was referred back to the law-officers of the crown, with instructions to reconsider the subject. The subject was reconsidered, and different conclusions arrived at. Nevertheless, those conclusions commend themselves little more to present judgment than the previous opinion. It was now held that the attitude of the American government was untenable because in assuming authority under the accepted law of nations, as laid down in the reports and treatises, Captain Wilkes had undertaken to pass upon the issue of a violation of neutrality on the spot, instead of sending the *Trent* as a prize into port for judicial adjudication. There is about the position thus assumed in 1861 something which seems in 1912 little short of the grotesque. Nevertheless, so the case stood at that time; and, as mere technical law, the point probably was, as the Duke of Argyll said in his letter to Mr. Adams, well taken. At any rate it met in a way the requirements of that particular occasion, and was gravely advanced and argued

over *pro* and *con* by able and adroit men holding high official positions. It was, however, recognized all through as a solemn farce. As a question of practical statesmanship, the world manifestly had burst asunder those particular swaddling clothes. It is contentions of this character which bring law into contempt.

Meanwhile, upon the American side of the water, among those occupying positions of prominence and political responsibility at the time, two men only, preserved their poise throughout the Mason and Slidell episode, and, taking in all the aspects of the situation, both acted with discretion and counselled wisely. These two were Montgomery Blair, the postmaster-general in Lincoln's Cabinet, and, somewhat strange to say, Charles Sumner. They alone, using the vernacular, did not "slop over", prematurely and inconsiderately committing either themselves or the country, whether in private speech or public utterance. Though not quoted at the time, Mr. Blair's attitude was the more pronounced. According to Secretary Welles, he "from the first denounced Wilkes's act as unauthorized, irregular and illegal"; and even went so far as to advise that Wilkes be ordered to take the *San Jacinto* and go with Mason and Slidell to England, and deliver them to the British government.¹⁰ In view of the excitement and unreasoning condition of the public mind such a disposition of the question was, perhaps, practically impossible; though even this admits of question. Nevertheless, seen through the vista of half a century, this would clearly have been the wisest as well as the most dignified course to pursue, far more so than that ultimately adopted.

As I have said, the attitude and bearing of Mr. Sumner throughout those trying days was above criticism. With a proper sense of the responsibility due to his official position, that of chairman of the Senate Committee on Foreign Relations, he was silent, biding his time; and, when that time came, he used his influence in such a way as to produce results not wholly unworthy of a great nation passing through a trying ordeal.

But there is another aspect of the *Trent* affair and its outcome, which, from the historical point of view, is, I believe, novel; and that, in closing, I propose to bring to view, emphasizing it as forcibly as I can. But in order to appreciate this aspect of the affair it is necessary clearly to bear in mind the sequence of events, the intervals of time which elapsed, and the exact date of each occurrence. The arrest of the *Trent* and the seizure of the two envoys took place in

¹⁰ This course was, it is said, also at the moment advocated by General McClellan, then organizing the Army of the Potomac, and practically commander-in-chief in succession to General Scott. Russell, *My Diary*. II. 405.

the Bahama Channel, November 8; the interview between Lord Palmerston and Mr. Adams at Cambridge House, at which Lord Palmerston suggested that the presence of the two envoys in Europe was "of no consequence" and "would scarcely make a difference in the action of the government" was on the 12th, and the despatch of Mr. Adams conveying this most significant intimation to Secretary Seward was received by the latter before November 30. This was fourteen days after the news of the seizure had been made known in the United States (November 16) and the public excitement had already begun to subside. Tidings of the affair had reached England only three days before, on the 27th, and the despatch of Lord John Russell to Lord Lyons demanding the immediate surrender of the two envoys, dated November 30, reached Washington, December 18, or a little over a full month after the news of the seizure of the envoys had made wild the American public.

At the time great emphasis was laid on the general preparations for war entered upon by the British government in case of a refusal to yield to the ultimatum presented. It was here pronounced unnecessary, irregular, minatory, and insulting; and subsequent American historical investigators and publicists have continued to so pronounce it. There is no question that Great Britain was in dead earnest in its demand for immediate reparation, and acted accordingly. The arsenals were busy; all available forces were mobilized; troops embarked for Canada.

It was on the part of Great Britain a case of uncalled for, unnecessarily offensive braggadocio and bullying; and it was resented as such. Yet something was to be said on the other side. The critics were not careful as to their facts, the sequence of events, and the natural operation of cause and effect. Again it is necessary to bear dates clearly in mind. Commenting on this phase of the "affair", R. H. Dana, for instance, with singular carelessness says in his elaborate note in his edition of Wheaton, "The news of the capture of Messrs. Mason and Slidell reached Washington about the same time it reached London."¹¹ This is erroneous, and the error vitiates Mr. Dana's whole criticism on the minatory course pursued by Great Britain. The news of the seizure, not "capture", reached Washington, November 16; the same news did not reach London until the 27th, or eleven days later. Those eleven days of difference were pregnant with consequences; for during them the United States went crazy, and it was then that the news not of Wilkes's act but of the storm of American approval of Wilkes's act

¹¹ Dana's Wheaton, p. 654.

reached London "about the same time". The announcement a few days later of the governor of Massachusetts at the Wilkes dinner in Boston (November 26) that "a shot fired across the bows of the ship that bore the English lion's head" had filled to the brim the cup of America's satisfaction over the event, followed hard by the "emphatic approval" of the act by the Secretary of the Navy and its unanimous endorsement by Congress—these surely were not utterances or incidents calculated either to allay British excitement or to lead to a countermand of warlike preparation. Even on the very eve of the surrender, it was publicly alleged and on excellent authority that the President had emphatically announced: "I would sooner die than give them up." This probably was not true; it was, however, believed both in Washington and in London. In London also it was suspected, especially in inner ministerial circles—and on good grounds it has since appeared—that Mr. Seward had, only a few months previously, desired to provoke trouble with Great Britain with ulterior purposes in view. The opportunity for so doing had now presented itself; nor was there any reason to suppose that the views of the Secretary had recently undergone change. Under such circumstances, however, it was perhaps in no way so remarkable, nor did it afford just ground for animadversion, that the din of preparation for war in the one country was concurrent with the din of approval of Captain Wilkes's act in the other.

Meanwhile the news of the excitement occasioned throughout Great Britain by Wilkes's act had reached America on the 12th, six days previous. The four dates most necessary to bear in mind are, therefore, the 16th of November, when the news of the seizure reached America; the 27th of the same month, when the same news reached Europe; the 12th of December, when the extreme seriousness of the situation dawned on the American mind through tidings of the British excitement and consequent demands; and, finally, the 18th of December, when it became apparent that a decision as to the course to be by it pursued had to be reached within one week by the American government. Thus, between the date of the arrival of the *San Jacinto* at Hampton Roads (November 16), and the announcement from Washington that the envoys would be surrendered (December 26), forty days elapsed. This was a most important factor; for, as the result showed, during that period the popular effervescence had time in which to subside, while by the forty-first day the sober second thought might to a degree be invoked with some assurance of a response. An Anglo-Saxon community rarely goes daft permanently.

It was so in this case; and though, both in public and private, some, like Hale of New Hampshire and Lovejoy of Illinois in Congress, and two of the sons of Mr. Adams in private correspondence, foamed at the mouth, swearing inextinguishable hatred of Great Britain and asseverating an unalterable determination to bide their time for revenge on that arrogant and overbearing nationality, so far as the great body of public opinion was concerned the insanity passed away almost as suddenly as it had asserted itself. Reason resumed its sway.

Such being the facts of the "affair" and the dates of the occurrences in its development, it is of interest now, and certainly not without its value as matter of experience, to consider the courses then possible to have been pursued by the United States and to contrast them, coolly and reflectively, with that which was actually pursued. And in so doing the thought which first suggests itself is one not conducive in us to an increased sense of national pride. What an opportunity was then lost! How completely our public men, and through them our community, failed to rise to the height of the occasion! For, viewed in the perspective of history, it is curious, and for an American of that period almost exasperating, to reflect upon what a magnificent move in the critical game then conducted would have been made had the advice of Montgomery Blair been followed to the letter and in spirit. To carry out the simile, by such a playing of the pieces on the board as he suggested, how effectually a checkmate would have been administered to the game of both the Confederates and their European sympathizers! In the first place, the act of Wilkes, as was subsequently and on better reflection universally conceded, was ill-considered, improper, and in violation of all correct naval usage. It should have been rebuked accordingly; and officers should have been taught by example and at the commencement that they were neither diplomatic representatives nor judicial tribunals administering admiralty law. It was for them to receive instructions and implicitly to obey them. A reprimand of much the same nature was at almost this very time administered to General John C. Frémont, when in Missouri he undertook by virtue of martial law to proclaim the freedom of the slave throughout the military department under his command. His ill-considered order was revoked; and he was officially instructed that he was to confine himself to his military functions, and that the administration reserved to itself all action of a political character. So much for Captain Wilkes, and the reprimand he should have received because of his indiscreet and unauthorized proceeding.

Next, such a line of conduct would have been, on the part of the government, in severe and manly adherence to the past contentions of the United States. It would have recognized in the action taken by Wilkes an attempt to carry the right of search and power of impressment far beyond any precedent ever established by the British government, even in the days of its greatest maritime ascendancy, and consequent arrogance. In the strong and contemptuous language of Mr. Adams, America, in sustaining Wilkes, was consenting "to take up and to wear [Britain's] cast-off rags". If, instead of so bedizening itself, the United States had boldly, defiantly, and at once, now adhered to its former contentions, its attitude would have been simply magnificent; and, as such, it would have commanded respect and admiration.

Taken immediately and openly in the presence of the whole world, the position advised by Blair would have indicated the supreme confidence we felt in our national power, and the pronounced contempt in which we held both those whom we called "rebels" and those whom they termed their "envoys". If reached and publicly announced after mature deliberation during the week which followed the announcement of the seizure from Fortress Monroe (November 23), as transatlantic communication was conducted in those days the news would scarcely have reached England before the 3d of December, just three days after the peremptory and somewhat offensive despatch of Russell demanding the immediate surrender of the arrested envoys was beyond recall or modification, well on its way to America. A situation would have resulted almost ludicrous so far as Great Britain was concerned, but, for the United States, most consistent, dignified, and imposing. Excited, angry, arrogant, bent on reparation or war, Great Britain would have been let down suddenly, and very hard and flat. Its posture would, to say the least, have been the reverse of impressive. But for us it would have established our prestige in the eyes of foreign nations, and once for all silenced the numerous emissaries who were sedulously working in every part of Europe to bring about our undoing through foreign interference. In particular, the immediate delivery of the envoys, in advance of any demand therefor and on the very ship which had undertaken to exercise the right of search and seizure under the command of the officer who had thus exceeded his authority and functions, would, so to speak, have put the government of Great Britain thenceforth under bonds, so far as the United States was concerned. Thereafter any effort, either of the "envoys" thus contemptuously surrendered or of other Confederate emissaries,

would, so far as this country was concerned, have been futile. Reciprocity would from that moment have been in order, and all question of foreign recognition would have ceased. The whole course of international events in the immediate future would probably have been far different from what it was; for with what measure we had used, it would necessarily have been measured to us again.

Such a line of conduct immediately decided on and boldly declared would have been an inspiration worthy of a Cavour or a Bismarck; but, though actually urged in the Cabinet meetings by Montgomery Blair, its adoption called for a grasp of the situation and a quickness of decision which, very possibly, could not reasonably be expected under conditions then existing. It also may even yet be urged that, if then taken and announced, such a policy would have failed to command the assent of an excited public opinion. That it would have failed to do so is, however, open to question; for it is more than possible, it is even probable, that American intelligence would even then have risen at once to the international possibilities presented, and in that crisis of stress and anxiety would have measured the extent to which the "affair" could be improved to the public advantage. The national vanity would unquestionably have been flattered by an adherence so consistent and sacrificing to the contentions and policies of the past. The memories of 1812 would have revived. However, admitting that a policy of this character, now obviously that which should have been pursued, was, under practical and popular conditions then prevailing, at least inadvisable, it remains to consider yet another alternative.

Assuming that the course pursued remained unchanged an entire month after the seizure, and up to the 12th of December, when the news arrived in America of the excitement occasioned by the seizure in Great Britain and the extreme seriousness of the situation resulting therefrom—assuming this, it is now obvious that the proper policy then and under such conditions to have been adopted, although it could not have produced the results which would have been produced by the policy just considered if adopted and announced ten days earlier, would still have been consistent and dignified, and, as such, would have commanded general respect. It was very clearly outlined by Mr. Adams in a letter written to Cassius M. Clay, then the representative of the country at St. Petersburg, in the following month. He expressed himself as follows:

Whatever opinion I may have of the consistency of Great Britain, or of the temper in which she has prosecuted her latest convictions, that

does not in my judgment weigh a feather in the balance against the settled policy of the United States which has uniformly condemned every and any act like that of Captain Wilkes when authorized by other nations. The extension of the rights of neutrals on the ocean and the protection of them against the arbitrary exercise of mere power have been cardinal principles in the system of American statesmen ever since the foundation of the Government. It is not for us to abandon them under the transient impulse given by the capture of a couple of unworthy traitors. What are they that a country like ours should swerve one hair from the line of its ancient policy, merely for the satisfaction of punishing them?

If the advisers of Mr. Lincoln had viewed the situation in this light, when his Secretary of State sat down to prepare his answer to the English demand, he would at once with a bold sweep of the hand have dismissed as rubbish the English precedents and authorities, reverting to the attitude and contentions uniformly and consistently held by the government for which he spoke, during the earlier years of the century. The proceeding of Captain Wilkes would then have been pronounced inconsistent with the traditions and established policy of the United States, and the line of action by it to be pursued in the case immediately presented would have been dictated thereby. The course to be pursued on the issue raised was clear, and the surrender of the envoys must be ordered accordingly; and this in no degree because of their small importance, as suggested by Lord Palmerston in his talk with Mr. Adams—though unquestionably the fact would have secretly exercised no little influence on the mind of the Secretary—and still less was it ordered because of any failure of Captain Wilkes to seize the *Trent* as prize on the ground of alleged breach of neutrality; but exclusively for the reason that the seizure in question was unauthorized, in direct disregard of the established policy of the United States and its contentions in regard to the rights of neutrals, clearly and repeatedly set forth in many previous controversies with the government represented by Lord John Russell. From that policy, to quote the language of Mr. Adams, "this country was not disposed to swerve by a single hair's breadth". In accordance with it, delivery of the so-called "envoys" was ordered.

Again, an opportunity was lost! Such an attitude would have been dignified, consistent, and statesmanlike. It would have had in it no element of adroitness and no appearance of special pleading. It could hardly have failed immediately to commend itself to the good judgment as well as pride of the American people, and it would certainly have commanded the respect of foreign nations.

Of the elaborate, and in many respects memorable, note

addressed by Secretary Seward to Lord Lyons, in answer to the categorical demand for the immediate release of the two envoys, it is not necessary here to speak in detail. It is historical, and my paper has already extended far beyond the limits originally proposed. Of this state paper I will therefore merely say that, reading it now, "clever", not "great", is the term which suggests itself as best descriptive. Much commended at the time, it has not stood the test. In composing it, the writer plainly had his eye on the audience; while his ear, so to speak, was in manifest proximity with the ground. Indeed, his vision was directed to so many different quarters, and his ear was intent on such a confusion of rumblings that it is fair matter for surprise that he acquitted himself even as successfully as he did. In the first place, it was necessary for him to persuade a President, who had "put his foot down", and whose wishes inclined to a quite different disposition of the matter. In the next place, the reluctant members of a divided Cabinet were to be conciliated and unified. After this, Captain Wilkes, the naval idol of the day, must be justified and supported. Then Congress, with its recent commitments as respects approval, thanks, gold medals, etc., had to be not only pacified, but reconciled to the inevitable; and, finally, an aroused and patriotic public opinion was to be soothed and gently led into a lamb-like acquiescence. The situation in the aspect it then bore was, it cannot be denied, both complicated and delicate. Accordingly, one is conscious, in reading the Secretary's communication to Lord Lyons of December 26, 1861, of a distinct absence therein of both grasp and elevation; and it can hardly be denied that there was truth in the criticisms passed upon it by Hamilton Fish, in a letter to Charles Sumner, written at the time.

In style [the letter] is verbose and egotistical; in argument, flimsy; and in its conception and general scope it is an abandonment of the high position we have occupied as a nation upon a great principle. We are humbled and disgraced, not by the act of the surrender of four of our own citizens, but by the manner in which it has been done, and the absence of a sound principle upon which to rest and justify it. . . . We might and should have turned the affair vastly to our credit and advantage; it has been made the means of our humiliation.

The ultimate historical verdict must apparently be in accordance with the criticism here contemporaneously expressed. The Seward letter was inadequate to the occasion. A possible move of unsurpassed brilliancy on the international chessboard had, almost unseen, been permitted to escape us.

CHARLES FRANCIS ADAMS.

DOCUMENTS

Debates on the Declaratory Act and the Repeal of the Stamp Act, 1766

THE following reports of debates are printed partly because of their intrinsic importance and interest, and partly as a means of drawing attention to an endeavor in which the Department of Historical Research in the Carnegie Institution of Washington is at present actively engaged. As has been made known to some readers by the annual reports of that department, it has for some time been making preliminary preparations toward a compilation to be entitled *American Proceedings and Debates in Parliament*. This will include, on the one hand, the items relating to North American affairs prior to 1783 contained in the *Journals* of the Lords and Commons of Great Britain, the Scottish Parliament, and the Lords and Commons of Ireland; and on the other hand, the best texts of the various debates on American subjects which can be obtained by careful editing of all existing original materials, printed or manuscript. Besides such manuscripts in the Public Record Office and the British Museum as, by the kindness of Professor Charles H. Hull of Cornell University and Mr. Harold W. V. Temperley, of Peterhouse, Cambridge, are presented in the following pages, the managing editor of this journal is warmly desirous to learn of all manuscript debates in less conspicuous public repositories or in private hands, which contain any matter bearing upon the history of America before 1783. Information regarding such manuscripts will be cordially welcomed.

Apart from materials preserved in England, it may be useful to mention the probability that others, not known to the editor, may be existent in America. Thus, it has lately been discovered by him that a manuscript volume in the library of the Massachusetts Historical Society, which had hitherto escaped careful examination, contains a most valuable record of proceedings and debates of the House of Commons in 1628-1629, while another contains a similar report for 1673-1674 and for 1678-1679, which can be proved to have been written by Sir Edward Dering, member successively for East Retford and Hythe. This record contains notes of proceedings during a dozen days which are omitted from the printed journal. In the Library of Congress, again, there is, in the Division of Manuscripts, a set of 45 volumes of Irish parliamentary debates in short-

hand with 37 volumes of transcripts, constituting apparently much the most important record of debates in the Irish House of Commons from 1776 to 1789, aside from those in the printed *Parliamentary Register*.¹ Also, there are of course many transcripts made by George Bancroft from manuscript reports in England, preserved in the New York Public Library.

Of the reports herewith presented both relate to the same episode in American history, but the first is a record of a debate in the Commons on the Declaratory Act, while the second records a debate in the Lords on the repeal of the Stamp Act. The first, obtained by Professor Hull from the Public Record Office, Treasury Papers, year 1766, bundle 372, is in the handwriting of Grey Cooper, who in the preceding July had become a secretary of the Treasury and in January, 1766, had, as a new member, taken his seat for the city of Rochester. The provenance and character of the second are sufficiently indicated in Mr. Temperley's introduction. It should perhaps be stated that, as the text has come to us in a form marked by extreme abbreviation, the editor of this journal has thought fit, almost as if he were dealing with shorthand, to make the record easily intelligible by expanding abbreviations. Grey Cooper's manuscript requires no such treatment.

By way of explanation of both pieces, it may be useful to remind the reader that Parliament reassembled January 14 and that on that day Secretary Conway presented to the House various letters, petitions, and other papers relating to the disturbances in America caused by the passage of the Stamp Act.² These papers, with others of a similar character presented on the 22d, the 27th, and the 28th of January, were referred to the Committee of the Whole House and on January 28 were taken up by that committee, which sat from eight to ten hours on almost every day from that time until February 21, when the seven resolutions which constituted its report were completed.³ On February 3 began the debate in committee on the first of these resolutions, introduced by Conway.⁴ This debate,

¹ See the note on these volumes by Professor Marcus W. Jernegan in the *English Historical Review*, XXIV. 104-106.

² *Journal of the House of Commons*, XXX. 447-451.

³ *Ibid.*, p. 602.

⁴ "That the King's Majesty, by and with the consent of the Lords spiritual and temporal, and Commons of Great Britain, in parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever." The first three resolutions are copied by Grey Cooper, in substance, at the beginning of his report, but are omitted below.

which is the one here presented, continued until nearly four in the morning, when the resolution passed with but few opposing voices. This resolution, when taken up by the House itself, February 24. was also the subject of some discussion, since, upon its second reading, a motion was made for its postponement, but after a debate the motion was lost and the resolution was adopted. On February 26 the bill for the Declaratory Act was brought in, and, without further debate, it was passed on March 4.

No report of the debate here presented is to be found in the *Parliamentary History of England*,⁵ but a brief summary of it is given by Bancroft, drawn, as he states, from the report made by Charles Garth⁶ to South Carolina, February 9, 1766.⁷ A much fuller account of the proceedings of the committee is to be found in a report addressed by Garth on March 5 to the three delegates to the Stamp Act Congress from Maryland; this report has lately been published in the *Maryland Historical Magazine*.⁸

The Declaratory Act and the act for the repeal of the Stamp Act were received by the Lords on the same day, March 5. The discussion of the disturbances in America had been going on in that house since February 10. The Declaratory Act reached its second reading in the Lords on March 7 and passed on March 13. On March 11 the bill for the repeal of the Stamp Act was read for the second time and the debate presented on a later page by Mr. Temperley followed a motion to commit it.

I.

Genl Conway moved that

I glory that I have not advised the sending a force there.

The Americans irritated by repeated Blows in their Trade and Property. New Modes of Taxation always irritate. Lumber, Melasses, Swarms of Cutters, exhausted by the War, in debt. We had just paid their Debt and then called upon them to contribute to ours. I think an internal Tax false in its principle and dangerous in its consequences.

*Mr Doudeswell*⁹ seconds it.

Mr Stanley.¹⁰ I wish to see the whole Extent of what I am doing wr.¹¹ this Motion be only to give a specious Appearance to the Neglect

⁵ The account of the passage of the Declaratory Act, given in Almon's *Debates and Proceedings* (1772) and in Debrett's *History, Debates, and Proceedings* (1792), is identical with that in Cobbett.

⁶ Charles Garth, member for Devizes, was agent for the colonies of South Carolina and Maryland.

⁷ Bancroft, *History of the United States* (Boston, 1858), V. 415.

⁸ *Md. Hist. Mag.*, VI. 291-302.

⁹ William Doudeswell, chancellor of the exchequer, M.P. for Worcestershire

¹⁰ Hans Stanley, commissioner of the Admiralty, M.P. for Southampton.

¹¹ Whether.

of exercising the Right or the first Step towards the enforcing of it. In support of my former opinion some have reasoned as if the first Planters had recovered their State of Nature. This Doctrine mischievous to the Colonies. No British Subject can renounce his Allegiance, with respect to Representations we are not Nobles: not feudal Tenants, not confined to a Profession but open to all Professions. The Commercial and landed Intst concerned in the Welfare of America: We have shewn them always Attention. Copy¹² nor Manufr not represented no more than the American. No hardship upon either. Every Man has Life and Liberty if he has not Property, if you rescind the Boroughs you make an Oligarchy, if you throw them into the counties you will have no quiet Election, 80 candidates in Cornwall. Mr St John in his argt on Ship Money argues that the power of laying Taxes and Laws are always in the same Legislature. If we have a separte Power as Representatives why not tax all but the Peers by ordnance. This a novel Doctrine! It was always talk'd of during the War. Mr Legge¹³ pointed out a Tax as a Gleam of Comfort under our distress to support their army, recd with full approbation. My Principle is that my Country is sinking under a Burthen which she cant bear without assistance. If this be only a specious Preliminary we only deceive ourselves and shall in effect divide America. I am persuaded that enacting Laws and laying taxes so entirely go togr that if we surrender the one we lose the others. The Americans have not made the futile Distinction between internal and external taxes. It would be arbitrary to raise the one if we ought not to raise the other. Massts Bay Resns, on Octr 1764, enact[ing] that the Courts shall proceed as if the Act had never passed, is an Act of independent Legislature. They have exceeded what this House has ever done Meeting in a federal Union not to be dissolved by the Crown. They will soon become more useful Allies to France than to you as appears from the papers. Respect may continue but Obedience ceases, if the House cd do so frivolous an Act as to vote the Right and repeal the Act: The Repeal will not remedy the Disorders: They will argue Repn. further on your own Admissions. All their Petitions are Insults on your authority. No Resemblance to this and disputing your Juris[dictio]n. They have put the Mother Country under an Interdict and forbid Imports from hence.

*Mr. Yorke.*¹⁴ I consider this as the Way of Proceeding most consistent with your Dignity separating the Q of Right from that of Expediency. I shall be ready to repeal if I see Impracticability and will make free with my former Vote upon further Lights. The Roman Senate said *inconsulto statuimus consultius revocamus*. I wd. repeal not wantonly because it is asked, not timidly because it is resisted, but on being convinced of the Inexpediency, but I am clear on the Right. The sovereign Legislature must be supream. The Privileges of Lithuania and the Subdivisions of Holland are destructive of each country but we are governd by one Plan of uniform Authority. The Colonists carried with them the Laws of their Mother Country. They wanted Protection and owed Allegiance, they carried with them their

¹² Copyholder.

¹³ Henry Bilson-Legge, chancellor of the exchequer during most of the Seven Years' War.

¹⁴ Charles Yorke, attorney-general, M.P. for Reigate.

personal Rights but they wanted the powers of Justice and of Mercy till given by the Crown. The Legislative Power of Parlt extends as far as the Power of the Crown: you have limited the Succession of the Crown, established martial Law, given Modes of Trial, and have communicated the Jura Civitatis to foreigners (wch the Crown cannot do) in all parts of the Kings Dominions. Ireland had been lost in the civil Wars and at the Revolution but for the Supremacy of the Legislature. At the Revolution, you gave the Crown of Ireland, you abrogated oaths, establish'd new ones, absolv'd by 3 and 4 W. 3. from Penalties incurred by Irish Acts for Debts to the Crown, you sold the forfeited Estates to be paid into the Exchr in Engld by 10 W. 3. established an Army to be provided for annually there, if they exceeded their Number you would say it was contrary to Law. The Proceedings agst. Mr. Moleneux¹⁵ in this house, appd a Comte to examine the Book, voted them pernicious and addressed the King to enquire after the Author. These all since the Revolution. James I. was anxious that Ireland shd hold only of the Crown and advised in vain with Mr. Selden upon it. 1 Ph. and M. The Parlt represent the whole Body of the Realm and all the Dominions of the same. The Colonies not like those from the North that great Seminary of Nations. they come out to seek Establishmts without any Reference to the State they left, nor like those of Greece. they only carried with them only Respect and often turned agst. the Mother Countries as she rose and fell; but yours are more like of Rome going out under a decree of the Senate non suis radicibus petuntur sed a civitate quasi propagati sunt jura et.^{16a}

The great Virginia Charter comprehends the whole, they are licensed to deduce a Colony. The others are derived out of it. No distinction between the several Sorts of Charter; the Tenures are not from the Crown but from the Soil within the Realm. The Legisl Power given to the Colonies is to be exercised after the manner of corps in England. The Law can grant no other. He cannot grant away any part of the Supream Legislative. are the Privileges of Pensylvania less than those of the Colonies? The Exempt[ion] there expressed is implied in all the rest.¹⁶ New York 1713. Bill to raise a Revenue was prepared by Sr. E. Northey and Sr. R. Raymond. In 1716¹⁷ on the Disorders in Carolina Lord Stanhope prepared a Bill for resuming the Judicial Powers in the Charter Govts and was twice read. In 1625 the first Virginia Charter vacated and on petition of the Agents they desired Exemption from Impositions except by Assembly and were answered that they shd not unless by the King in Parliament, i. e. not to the King

¹⁵ William Molyneux, author of *The Case of Ireland being bound by Acts of Parliament in England stated* (1698), condemned by the English House of Commons. *Journals of the House of Commons*, XII. 331.

^{16a} Qu. ? non suis radicibus ponuntur sed a civitate quasi propagatae sunt jure et institutis patriae.

¹⁶ The clause in the Pennsylvania charter of 1681 reads as follows: "That Wee, our heires and Successors, shall at no time hereafter sett or make, or cause to be sett, any imposition, custome or other taxation, rate or contribution whatsoever, in and upon the . . . inhabitants of the aforesaid Province . . . unless the same be with the consent of the Proprietary, or chiefe governor, or assembly, or by act of Parliament in England".

¹⁷ 1715. See Miss L. P. Kellogg in the American Historical Association's *Annual Report*, 1903, I. 309-310.

without Parlt. In the case of the Massachusets their first Charter gave no power of taxation, in 1684 vacated, held to be legal: applied to have it reversed: the Sr. G. Treby before Lord Somers Holt and Pollexfen told them that if they took their old Charter and imposed Taxes and call'd assemblies their Charter might again be repeal'd. This proves that all those powers are derived from the Crown. Want of Repres. is Consion of Equity of Right. Preamble to the Act of Durham. The old Subsidy Acts have express Words to bind all the King's Dominions. The Exceptions are not want of Representn for some actually represented as Wales, the Northern Counties. Exemptions of Individuals then usual tho' not always allowed. The Subsidies were then considered as Crown Revenue: the Appropriation Clause was introduced since the Revolution. Why are Copyhrs excluded on a speculative Distinction: Why lay any tax in the Colonies? In 1672 on the Conference on an Impost Bill,¹⁸ Tunnage and Poundage are considered the same as Impns¹⁹ on Land tho' then material the Lands not being concerned in Merchandize. In 1755 Complaint of the Neglect of Pensylvania to the Council as a Breach of Trust. The Language of the Resolutions is subversive of all legislative Authority. In Politics as in Religion an Offence agst one part is an Offence agst the whole. Unless you assert your legislative Authority no friend will trust you no Enemy will fear you.

*Mr. Beckford.*²⁰ L. Coke says in Dr. Bonnom's Case 118 that the common Law in many cases controuls Acts of Parlt.²¹ The Cases of New York and Carolina were both on their refusal to provide for Necessary Services. The Case of Jamaica was the Parlt or the Assembly and if the Assemblies will not the great controuling Power shall. Ireland is a conquered Country, Pensylvania a Grant to a private Man. The dernier Resort of the colonsts is to the K. in Council. I positively deny the Right. Are the Colonies to be taxed by their own assemblies and Parlt.

*Mr. Nugent.*²² I am sorry that the American who has carried the Privileges has left behind him the obligations of Britons; he is not entitled to one without the other: if he is not obliged to pay obedience wherever he goes he is an alien: he is indeed conquered. Your Resolution ought not to be so generally, Specific words shd point out the specific cause of Resistance.

Genl. Conway. I have no doubt on the Right because I cannot distinguish between internal and external cases but I doubt of the Justice, Equity and Expediency. The Americans have denied the whole and I say that we have a right to bind them in all.

*Mr. Blackstone.*²³ I approve of the Proposition because it is conceived in the most general and universal Words that can possibly be imagined. As to the Objt. of Representations if we taxed only in our representative capacity the Commons wd have the sole right of taxing for we are the only Representatives: but the other Parts of the Leg. must consent or our Vote has no Effect. Magna Charta and the Stat.

¹⁸ See *Parl. Hist.*, IV. 480-495.

¹⁹ Impositions.

²⁰ Alderman William Beckford, M.P. for the City of London.

²¹ 8 Coke's *Reports*, 118 a, case of Dr. Bonham.

²² Robert Nugent, M.P. for Bristol.

²³ Sir William Blackstone, author of the *Commentaries*, M.P. for Hindon.

of E. 1. and E. 3. referred to in the Pet. of Right say that Taxes are to be laid per commune consilium. No Tallage shall be imposed without Consent of Nobles, Knights, Burgesses and other Freemen of the Realm. Pet of Right without common Consent by Act of Parlt. The Commons have the sole Right of proposing and regulating the Mode because perhaps this is a temporary Body and, not so influenced by the Crown. In the Conferences 1671 the Managers directed not to enter into the Question and compare it to the Judicature of the Lords.²⁴ They did not insist upon their Representative Capacity. It is the Representative of the Nation and not of Individuals. The Counties Palatine bound a large Body of Freehds a 16th part of the whole—the Towns of Birmingham and Manchester; if we were now to form a new Constitution Reasons might be given for admitting Leasehds. and I had rather have our old Constitution. It is a Contradn to say that the inferior must send Repres. to the superior: it then becomes a part of that superior and is both Subject and Sovereign. The Colonies are not part of the Realm but of the Dominions not bound unless named because they have Legislatures of their own. Sovereignty and Legislature go always together. They may dispute one Law as well as another. All the Dominions of G. B. are bound by Acts of Parlt—Calais, Guienne, Jersey, Guernsey, Ireland—and never contended that they must be represented. Calais only represented. H. 8 capriciously gave them Representatives but he gave none to others. Calais bound by Subsidy Acts before that time. In the Usurpation the House of Commons never pretended that all must be represented but declared that all in Ireland and Jersey shd be bound by the Representatives of this Kingdom tho' they declared that all right of Govt belonged to those Representatives. This was in 1648. In 1650 on passing the Act of Navigation declared all American Colonies subject to England. Preamble to the same. In the Subsidy Acts Calais, Guernsey, Jersey, Guianne, are expected as *necessarily* from all the King's *Dominions*. In 1621 and 1623 free fishery declared (Journals) objd that it ought not to make Laws for Virginia because it encroached the K. Prerogative pass'd and resolved 17th March 1763. 5. G. 2. c. 7. Paper Currency. Q. Ann's Act for cutting down trees. All Penalties are Taxations, the Stamp Act is but a penal Law as almost all Revenue Laws are. The Law for quartering Soldiers is a Tax. Post Office Act voted by the Comtee of Ways and Means and is an internal Taxation.

*Mr. T. Pitt.*²⁵ The first Settlers owed obedience. at what distance did it cease. but better deny the Right than assert it and say that in fact we have it not whatever we say or that we dare not. does the Expediency arise from their Resistance.

*Mr. Hussey.*²⁶ The Colonies are annex'd unalienably to the Crown. The Sovereign power has a right to permit the Departure of the Subjects on whatever Conditions it pleases and if they make no Conditions he carries with him the common Law. To that he owes Obedience and receives Protection. The common Law says he shall be bound by an Act of Parlt. The Fact was K. J. 1. assumed all Sovereign Power. The Lawyers then thought he might give them what Laws he pleased. It was said so in this house by the Secy of State. The Charters gave powers a King of Engd cannot. Hence arises the obscurity about the

²⁴ *Parl. Hist.*, IV. 480–495.

²⁵ Thomas Pitt, M.P. for Old Sarum.

²⁶ Richard Hussey, M.P. for St. Mawes.

Constitution of the Colonies. the mistake was that no part can delegate its Supremacy without Consent of the others: It might have been done by Act of Parlt and My Notion of Represent. is, All Govt. began by Compact By Agreemt. Freehds. and Burgesses shall chuse and be chosen and the Elected represents the whole people. This allowed in all but Taxation they represent territorially. It is sd. that the Commons alone can give and therefore not the Money of the Americans. The Relation of the Subject cannot be considered as territorial, he can't get rid of his Allegiance by Change of Territory. That fact as clear in Taxation as in every other Case. No distinction by the common Law. Consent says the Constitution is as necessary to every Law. All the Judges have always avowed that any of the King's Dominions are bound if named. Exceptions before mentioned from the Subsidy Acts prove it. I cannot distinguish internal Taxes, if the St. Act is illegal so is the Act of Navign. It wd be impossible for a Lawyer to distinguish internal from external. Obedience wd be uncertain. But it is summum Jus and summa Injuria. The Colonies went out on the faith of the King's Charters. They have been in many Instances recognized by the Legislature. It never acquiesced in the Privileges of Trade, the Act of Navigation immediately followed the Charter. Never the Taxation carried so far as by the St. Act. The Post Office for Convenience at first, not thought of a[s] Revenue till Q. Ann's Time. It never produced a Revenue till lately. The K. by assenting to the St. Act has overturned as a limited Monarch the Privileges granted by his Predecessors as an absolute Monarch. Their Abilities shd have been known, their comparative Wealth, what we got by their Trade, how much it was taxed; we then should have made a Requisition and to say pay or we will tax you. The Parlt. I believe never taxed Countries who had Legislatures of their own, you have therefore not imitated the wisdom of your predecessors.

*Mr Wedderburn.*²⁷ It is wisely said in your Journals that it can never tend to any profitable purpose to canvass fundamental Principles. The Seditions in America do not relate to the St. Act only. The Sovty. of this Nation resides in K. Lords and Commons who represent the whole State of the Kingdom and must be Sovereign in taxes as well as others. by the same right as you affect the Lives and Liberties you affect the Properties of the Subjects. None of your legislative Acts are founded on Repres. The first Settlers in New E. they excluded above 2/3 of their Numbers. 4 R. 2. These Principles condemnd. In 1649 after destroying the House of Lords. In 1681 the Decree of the University of Oxford. These Principles now urged by the Americans to support the Democracy by those here to extend Prerogative. I think it absurd to declare the Right and avow that it is ever improper to exercise it (Resolution of Mass. Bay). The Colonies never disputed the Right of internal Taxes. Under Virg. Charter the K. by Prer. taxed them to favour the Tobacco of Spain. The Council in Engd made the first Laws for Virginia, Deputies of the Crown, and the first Laws made by the Colonists was approved by the Council. In the time of C. 1. Secy. Calvert obtained Maryl. Char. King's Power of Taxation. In C. 2. Pensylvania Chart.; the K's Right of Taxing taken away and therefore the Power of Parlt reserved. When did the Pensylvns ac-

²⁷ Alexander Wedderburn, afterward Lord Loughborough, M.P. for Ayr burghs.

quire Exemption. In 1683 the D of York and his Governors imposed taxes in New York. In Reign of C. 1. the 4½ p Cent imposed all by Prer. They never therefore disputed the Right of this Country in Taxation first by Prer., now by Parlt. There has been no Acquiescence on our part.

*Mr. Serjant Huett.*²⁸

*Mr. Burke.*²⁹ Some of Charters declare the Right, others suppose it, none deny it. The Courts to wch they apply determine agst them. There is a real Distinction in every Country between the speculative and practical Constitution of that Country, arising from the Circumstance proper for receiving the first Principles of its Constitution. The King's Negative. The Right of the Clergy in Convocation to tax themselves. Let them evaporate do not expunge them. The British Empire must be governed on a Plan of Freedom for it will be governed by no other. They were meer Corporations, Fishermen and Furriers, they are now commonwealths. Give them an Interest in his Allegiance, give them some Resemblance of the British Constitution, some idea of popular Representation. Draw the Line where you please between perfect and no Repres., but draw the Line somewhere between the two Extrems and I shall vote for this Motion because I know not how to fix Bounds to the coercive Powers of the British Legislature.

*L. F. Campbell.*³⁰ I think nothing more dangerous than the Distinction between theoretical and practical Laws. the Ex[ecut]ion of dormant penal Laws was one of the principal Complaints agst J. 1. The Mode of Requisition is the Remnant of old Prerogative.

*Coll Barré.*³¹ I shall move to leave out the words in all Cases whatsoever. The Legislature of this like that of every other Country is suprem. It cannot be controuled: but it ought to controul itself and in that sense you have no right to lay an internal Tax on N. A. The Essence of an assembly is the power of granting Money, if you encroach upon that you deprive them of the very Essence of Liberty. All the forms of Law were kept up in the Time of C. 1. but there was no Parlt and you were Slaves. In Gibraltar and Minorca oppression is often exercised. Representatives from thence absurd: To have the Representatives of 3 meet here the Repres. of 7 Millions. If you do not mean to enforce the Law leave out the Words for they destroy Confidence. They will expect another St. Act. If you draw the Sword the Colonies are no longer yours. Suppose you subject them, you destroy your Commerce: France has not insisted upon Submission from her own provinces who have Estates in the heart of France:

Mr. Dowdeswell. If the Words were left out the Resolution wd be too much confined. I do not know the Oblign Men are under to one Species of Laws and not to another. If I did not think him bound by all Laws I wd leave out the whole Resolution and to repeal many Acts of Parlt. I do not see the Necessity of Consent to Taxations and not to Acts affecting my Life and attainting my Blood. When you declared customary Freehds had no Votes did you mean that they were not represented or bound? The Colonists depopulated this Country by peopling their own; if they are not Subordinate they are a Loss. In

²⁸ Sergeant James Hewett, M.P. for Coventry.

²⁹ Edmund Burke, M.P. for Wendover.

³⁰ Lord Frederick Campbell, M.P. for Glasgow burghs.

³¹ Colonel Isaac Barré, M.P. for Chipping Wycombe.

1717³² Bill to take away their Charters and if you may not tax you may not take away Charters and Dummer³³ that tho' the Law wd be cruel and unjust it wd be submitted to. if you cramp the Resn. they will dispute all Acts they have disputed most. The Act of Navign was not enforced in Mass. Bay till 17 yrs after it was pass'd and they passed Act of Assembly because not represented. In 1748 Pet. on Paper Currency bec. they have an assembly of their own. In 1764 an Opposn: to 4th King on the same principle. If you repeal the Act you will do it more safely after declaring the right: not on their Resistance but in considn of the Represns of your Merchts. If you maintain it this Resn. is to your purpose.

*Mr. Grenville.*³⁴ I must lament that the executive power of Govt is entrusted to one who apologizes for Rebellion. The Cutters were established in 1763. The next year was the greatest that ever was and this was the Grievance. The Virginia Pamphlet States the Act of Navn. as a Tax. The Americans believed St. Act wd be repealed: have they been deceived? Every Country wd do the same. Is it difficult for Ministers to get Petns agst Taxes. I opposed the Tax upon Beer, could not I first Comr of Treasy have got Petns from all the Mughouses in London and gained Popularity, but my Dissent was precluded by the Wisdom of Parlt. As to what he said of using force, has he not order'd all the Govrs. to send to Genl. Gage for a military force. We must account for it by knowing that Genl Gage had none to send. So resolve not to give up the right but for fear this shd. do no good in America he thinks the Act contrary to Equity. No Cutters sent to W. Indies, no orders given to interrupt the Spanish Trade. No power in the original Charters to call assemblies. The learned Gentleman did not quote any proof that the Right of raising internal taxes exclusively was ever recognized. The Right to tax has been recognized and the same right has been recognized in the City of London. 8 W. 3. forfeits Charters if the due means be not taken to punish Piracies. The printed Case for Mass. Bay in 1715 desires to be put on the foot of all other in Englad. and desires that their Charters may not be taken away unless they have been guilty.

I do not know that any Requisitions to raise Money: certainly not by Parlt then by a Secretary of State. does he consider that all Loans and Benevolences except by Consent of Parlt is illegal. That Doctrine of Requisn may one day put the King out of the power of Parlt. One Gentleman has compared this to a poetical fiction and a Question of Theory: We have then sat too long. If you have no right the Repeal is a necessary Consequence and I had rather agree in this than meanly attempt to deceive Mankind into a Belief that we mean to establish a Right we avow we do not mean to exercise. The Rebellion of 1715 was bec an Act cd not overule the divine indefeasible Right of Kings. At no time were so great commercial taxes given to the Colonies as in the two years of these taxes. I wish the Law were more wrong than it is that Eng. might give way to Justice and Reason not to force and Resistance.

Mr Pitt. If Liberty be not countenanced in America it will sicken fade and die in this Country. I rise to second the Amendment. It is

³² 1715.

³³ Jeremiah Dummer, *Defence of the New England Charters* (London, 1721).

³⁴ George Grenville, M.P. for Buckingham.

absurd to vote the Right in order not to exercise it. If they have a Right they have it on all Grounds, on Compact amongst them: there is not a Man readier than I am to punish the Violence but redress the Grievances. It imports the Dignity of this Country to see some of the Offenders brought to Punishment. I think them deprived of a Right; but by an authority they ought not to question. The first Settlers carried with them every Right consistent with their Situation and the Parlt has not a right to lay internal taxations. Repn. and Taxation go together and always have in this Country. Counties Palatine did tax themselves and Writs of Requisition were sent to them from the Crown. In the Patent for erecting Lancaster it is reserved. An Act of R. 2 affirms the Exception in favour of the Counties palatine tho it includes the Cinque Ports. Not look into foundations! What wd this doctrine have concluded when prer. was thought fundamental. Machiavel says look often into your Principles: What else produced the Reformation? What revived Liberty in this Country? In the time of E. 2. the Clergy taxed themselves tho' the great Clergy sat in the Legislature. The Convention who laid the Taxes were not the Legislature. In the Conference 1671 the Commons say the Clergy have a right to tax themselves. The upper house never alter the Acts of the lower nor does Parlt ever alter them. It proves that Legislature and Taxation were seperable. To impose the Tax belongs to the Legislature but this house only grants the Money. That is the ground-work on which the Legislature proceeds. Your first Act is to vote that a Supply be granted and till that is done the whole Legislature stagnates. The Speaker presents it as a Grant of the Commons. America was of mean Beginnings so was Rome but the scanty fountain is now become a large Stream covered with Sails and floated with Commerce and nothing should prevent my using an Effort beyond my force to avert the Dangers of such an express and full Declaration. I think you have not the Right. I mean to waive it by Silence and the most magnanimous Exertion of Power is often in the Non Exertion of it. I wish this to be an Empire of Freeman: it will be the stronger for it and it will be the more easily governed. Let the Premises and Consequences agree therefore, decline the Right, do not let Lenity be misapplied nor Rigour unexecuted: take not the worst of both. The Colonies are too great an object to be grasped but in the arms of affection.

*Sr. F. Norton.*²⁵ He assumed the Proposition that Taxation and Repres. go together. I thought that Argt had been beat out of the house. There never was a time when that Idea was true. It is not true before the Norman Period; Men were call'd to the Council by virtue of Tenure. No House of Commons till H. 3. In Magna Charta a Petn. to the Crown that Taxes [should] not be levied without the Consent of the whole of the Great Council. They claim'd the Right common to all Legislatures that Taxation and Legislation go together. Magna Charta *gives and grants* and yet it was only declaratory, so that the Give and Grant of the Commons proves too much. The Clergy taxed themselves because the Popes exempted the Clergy from Taxation, I mean the beneficed Taxation [Clergy?]. Their Lands were exempted and not their Goods and that introduced the tenths and fifteenths instead of Subsidies. Exceptions in the Subsidy Acts not only for the Counties Pala-

²⁵ Sir Fletcher Norton, M.P. for Wigan.

tine and the Northern Counties becs the latter bore large Burthens as frontiers and bec the latter taxed themselves and thereby answered the same purposes. Lord Coke, Lord Ch. J. Anderson, and in Meeting of the twelve Judges, it has been determined that all the Kings Dominions shd be subject to the Laws. I think the Declaration unnecessary but if it must be the more general the better. If you follow the Decln by a Repeal it is a Mockery of Parlt. The assembly of Boston is on a better footing. they will enjoy their Declaration, we shall not. I wd receive the American with open arms but I would receive him penitent and if something is not done to support this Law it will be the last you will pass upon North America.

II.

The following report of the debate in the House of Lords on the second reading of the Repeal of the Stamp Act is drawn from the Hardwicke Papers in the British Museum, Add. MSS. 35912 (Hardwicke Papers, vol. DLXIV., ff. 76 *et seq.*). Miss Kate Hotblack, B.A. of Dublin University, has greatly assisted the writer in the deciphering of this manuscript and in commenting on it.

Cobbett in *Parliamentary History*, XVI. 181, note, states that these debates have been nowhere preserved. It seems well therefore to deal with this report from the point of view, first of its authenticity, secondly of its value.

1. *Authenticity.* Cobbett printed several of his debates from the Hardwicke Papers,³⁶ but had not access to this one. The reason is fairly obvious: this report was taken down by Hardwicke when the House was cleared of all outsiders, and was no doubt carefully locked up afterwards by him. Of its genuineness in the sense of being Hardwicke's own report of the debate there can be no doubt. It is unmistakably in his own handwriting and has all the marks of being a report written during the actual debate. The handwriting is hurried, there are mistakes, abbreviations, some missing and some illegible words. The writing is on both sides of the paper and blotted as though with hasty folding. How far it genuinely represents the views of the speakers is perhaps a fair question. Sometimes there is only a summary, sometimes a few broken and detached sentences, sometimes a fairly full report. On the other hand, we have in another instance a means of finding out if Hardwicke was a good reporter. Hardwicke's report of the speeches at Pitt's last cabinet has been published and may be compared with Newcastle's.³⁷

³⁶ *E. g.*, the debate of February 10, 1766, in the House of Lords on the power of the king to make laws and statutes to bind the colonies, and the debate of December 15, 1768, in the Lords on Discontents in America, both printed in Cobbett, *Parliamentary History*, XVI. 163-177, 476-477.

³⁷ *English Historical Review*, XXI. 130-132, 329-330 (1906); extracts published by W. Hunt and by myself.

A comparison shows that, while Newcastle's is the more lengthy, Hardwicke's is the more real and vivid, and that there is no reason to suppose that the latter missed anything vital or essential in the speeches which he abbreviates. On the whole, therefore, it seems probable that the Stamp Act Debate is adequately reported by Hardwicke.

2. *Value.* The real advantage of this report is that the Lords spoke behind closed doors and therefore could express their minds freely. The Chancellor, Lord Northington, openly says, "As the House is cleared and none of the House of Commons here—I will tell your lordships", etc. The Lords shunned conflicts with the House of Commons in this era, and the Chancellor gives an interesting explanation of why they did so. Yet the Lords were, in a real sense, the rulers of England at this juncture, and this debate undoubtedly reveals their true feelings at this momentous crisis of policy. It is of some interest that the speech of Lord Shelburne here given, like his speech on the first reading, was silent on the question of legal right, and emphasized the commercial side of the question. It appears also that he spoke in this case as the direct mouthpiece of Pitt.³⁸ Newcastle's attitude on the Stamp Act question is consistent throughout, and he distinguished himself at least as much by his knowledge of commerce and by his disinterested conduct on this occasion as upon any in his career.³⁹ Lord Camden's argument follows the same lines as in his speech on the Declaratory Bill⁴⁰ but relies less on natural right. Lord Mansfield is much more interesting than in his speech on the first reading, because his words are exceedingly forcible, and betray those real feelings which were so often disguised in his public utterances.⁴¹ No speech is more emphatic on the gravity of the decision to the unity of the empire. The whole tenor of the speeches, and the fact that at least one unusual speaker intervened specially in the debate, show that the Lords at least were thoroughly alarmed by the crisis. It is also remarkable that they divined the real nature of the opposition and resistance created by the Stamp Act. Only two of the speeches deal with the matter from a purely legal standpoint, and in one of these legal speeches Lord Camden says, "the true connection between

³⁸ See Fitzmaurice, *Life of Shelburne*, I. 322-323, 364-377, 384-387. Shelburne's speech on the first reading is in *Parliamentary History*, XVI. 165-166.

³⁹ Newcastle's assertion that the trade of England was declining everywhere except in America is supported by Public Record Office Trade Bundle C. O. 388, 48; for his general attitude, see Winstanley, *Personal and Party Government* (Cambridge, 1910), pp. 244-264.

⁴⁰ *Parl. Hist.*, XVI. 177-181.

⁴¹ Mansfield's speech on the first reading is in *Parl. Hist.*, XVI. 172-177.

the colonies and Great Britain is commercial", while in the other Lord Mansfield sums up his argument by saying, "The Americans may think they have a right to an open trade and establishment of manufactures. What then would become of us?" A perusal of the summary of the debate in both Houses, given in *Parliamentary History*, XVI. 193-206, shows that while the arguments of the Commons are fairly reproduced, those of the Lords are imperfectly given. In fact the judgment of the Lords in the crisis was more accurate than that of the Commons and, by concerning themselves mainly with the commercial question, they anticipated the view of modern historians.⁴²

H. W. V. TEMPERLEY.

[Extract from Cobbett's *Parliamentary History*, XVI. 181, for March 11, 1766.

"The order of the day being read for the second reading of the Bill, intituled, 'An Act to repeal an act made in the last session of parliament, intituled, An Act for granting and applying certain Stamp Duties, and other duties in the British colonies and plantations in America, towards farther defraying the expences of defending, protecting, and securing the same, and for amending such parts of the several acts of parliament relating to the trade and revenues of the said colonies and plantations, as direct the manner of determining and recovering the penalties and forfeitures therein mentioned.'

"Then the said Bill was read a second time, and it being proposed to commit the Bill, the same was objected to, Content 73; Proxies 32; Total 105; Not Contents 61; Proxies 10; Total 71; Majority 34.

"After a long debate thereupon, the question was put, whether the said Bill shall be committed? It was resolved in the affirmative.

"Speakers on the second reading:

Against the Bill.

1. Earl of Coventry.
3. Earl of Sandwich.
5. Earl of Halifax.
9. Lord Botetourt.
10. Earl of Suffolk.
12. Lord Lyttelton.
14. Lord Mansfield.
16. Visc. Townshend.
17. Earl Temple.
18. Duke of Bedford.

For the Bill.

2. D. of Newcastle.
4. Duke of Grafton.
6. D. of Richmond.
7. Earl Poulet.
8. Earl of Pomfret.
11. Lord Chancellor.
13. Earl of Shelburne.
15. Lord Camden.

"The speeches of these noble lords have not been any where preserved".]

⁴² The voting in the Lords on the Repeal, 11 March, 1766, was 105 to 71. Of the latter 19 were placemen, who were presumably influenced by the king. See Winstanley, p. 307. On the subject of court influence in the Lords see also Fitzmaurice, *Shelburne*, I. 366.

Monday in a Committee upon the Bill declaring the Right etc.

Preamble read.

Lord Dartmouth. This Bill My Lords is of great and National Importance. It declares a Right to Exist in the Supreme Legislature of Great Britain which has been disputed all over America.

The Tendency of the Bill in the Light I consider it is to restore Tranquillity to America and Great Britain.

In the Observations I mean to make at present I will confine myself to the Preamble which has been just now read but I hope that in both the Preamble and Enacting part Noble Lords will all give their Assistance in making the Bill as perfect as possible as it is a Bill of so great Importance. It has been said by a Noble Lord that the Preamble is founded on a Mistake, that is such part of it as says that Several of the Assemblies have taken on themselves to assert or assume their Sole and Exclusive Right of Taxation which, it is said, is not a Fact warranted by the Papers on Your Lordships Table.

I confess, my Lords, from the Inaccuracy with which the American Resolutions have been penned it is very natural that a Difference of Opinion should arise upon the Import and Meaning of these Resolutions, but yet I can't help saying that my Opinion is that this Preamble, as it at present stands, is well warranted upon the true and genuine Construction of Resolutions of the Assemblies of Virginia and Pennsylvania. These Resolutions assert that they have the Exclusive and sole Right to lay Taxes on the respective Provinces, but it occurs to me that by the Insertion of a few Words all Disputes will cease.

I therefore move after the Words "claim to themselves" that the Words "*or to the General Assemblies of the same*" may be inserted.

Preamble amended by inserting these Words.

Enacting part read . . .

Lord Marchmont. I have reason to hope by the Appearance of the House that Nothing need be said in Support of this which I will call the Enacting part of the Bill.

[The] Noble Lord has said that there is a Mistake in this part of the Bill and supposes it to have been copied from a Precedent which had No Resemblance to this, but I hope to shew Your Lordships from the Journals of both Houses that the cases are the same.

In order to do that, it is necessary to give the History of that Matter.

In the year 1697 7 Jan. a Committee of the House of Lords was appointed to enquire how Appeals were brought from Ireland, on the House of Lords there⁴² claiming a Right of Appeal to them. In 1698 Plantation of Ulster with Bishop of Derry. But at this Time Ireland did not only dispute the Jurisdiction of Your Lordships as a Court of Appeal but likewise the Authority of [the] Legislature of this Country to bind that. And therefore as soon as House of Lords had asserted their Jurisdiction the [English] House of Commons on Account of Molyneux's Book and Resolutions of House of Commons in Ireland thought proper to assert the Jurisdiction of the Legislature. And made a Representation to the King which may be found in the Journals. This Address prevented the Irish from going any further, but upon the House of Lords finding that what had been done by them in the Bishop of Derry's case was not sufficient to prevent the House of Lords

⁴² *I. e.*, the Irish House of Lords.

in Ireland from assuming the right of Appeal, as in the year 1717 in Mr. Annesley's Case they did it again, the House of Lords then thought proper to go further than in the former Case, and therefore Ordered a Bill to be brought in. History of that Bill as brought in by Judges, altered by Commons and passed by Lords.⁴⁴

The Bill [that was] past on this occasion [was] very like the present.

[The] Noble Lord objected that there is no Enacting Clause. At the time of the Revolution this Objection was taken when our Great Deliverer was declared King of this Realm.

Every Lawyer knows that the word *Declare* is tantamount to *Enact*.

In the Debate on [the] Revolution an Attempt was made to insert the Word *Adjudge* (following in this the Idea of the Civil Law) but it was thought proper to reject this word as tending to avow in Parliament a power of judging and determining in this Arduous Matter.

These were the Mistakes supposed to be in the Bill which willing to give Your Lordships My Idea of.

As to the present Bill, does not look at it in any other Light but as a preliminary Measure—has always thought that Administration must go farther and has given his Sentiments on that Head to a Noble Lord in Administration.

Lord Mansfield. When [he] made Observation last Friday—declared that He would propose No Amendment.

After paying great Attention to Noble Lord my Doubt still remains.

The Object of the Bill as it at present stands is not [to deal with] *persons denying the Authority of British Legislature*, which thinks ought to be the Object.

Asks Lord M[archmont] whether Irish in 1698 in the Bill sent denied [the] Authority of Parliament. *Ans.* 12 V[ol.] Journals of House of Commons page 331 the whole proceeding may be seen—the Authority of Parliament was there denied.⁴⁵

As to what Noble Lord says that Declare and Enact are synonymous, agrees with this Lord, but My Objection is that this Act enacts Votes to be void. Now that I think unnecessary.

Duke of Newcastle reads the Declaratory part of the Act made on Occasion of Ireland's behaving in same Way as America—the Enacting or Declaratory Words in the Irish Act [are the] same as those in the Act at present before Committee. [He] could have wished that this Question had never come before House but it was the fault of Americans who by their Resolutions and their opposition to Law first made the Question.

[He] has heard with great pleasure the Arguments on the Subject of Right—thinks the Supreme power must have a Right to bind its Subjects wherever they are by Laws and Statutes.

Lord Temple has often declared his opinion that present Act Nugatory. The Act 7–8. W. 3 much stronger than the present. [He] reads Act and afterwards Preamble.

All the Provinces [that are] Corporations may forfeit their Charters—the Chief Justice of England their Visitor. No Reason for this Act, the Americans will scout so will all the Kingdom but the Privy Council. Your Lordships may for their Sake Enact it if you will.

⁴⁴ See *Parl. Hist.*, VII. 642–643.

⁴⁵ *Commons Journals* [of Great Britain], XII. 331. June 27, 1698.

[Governor] Fauquier in a Letter received July 1757 sends the Resolutions of Assembly of Virginia. In August following Board of Trade makes a Representation to the King on this Head. On 6th September This Representation referred to the Council together with Resolutions of Massachusetts Bay.

On 8th of October Council report that it was a Matter too high for Privy Council to determine and was worthy the Consideration of Parliament.

When Parliament assembled not till December—and then not to do Business.

The only reason therefore for enacting what is at present desired is to tell the Privy Council what the Law of their Country is, which they ought to have known before.

Duke of Richmond. Do not conceive why we're brought into a long Debate by what is absolutely out of Order.

The Orders of Council have been brought into Debate affectedly in order to lengthen the Debate unnecessarily. Let the Noble Lord move for a Day to take the Orders of Council in this Matter under their Consideration and I'll second him—but let us not waste our time. No proposal made for Amendment—the Bill ought to be read through and the Committee to report it.

Lord Pomfret moves that Governors Judges and Justices of Peace etc. in America before they act may take an Oath acknowledging the Supremacy of Legislature of Great Britain and that a Clause to that purpose may be inserted in the Act.

Question put whether such Clause should be added to the Act.

Lord Sondys thinks the Clause informal—never saw an etc. in an Act of Parliament.

Duke of Newcastle moves that the Petition of Merchants of London trading to North America be read.

Petition read.

Duke of Grafton moves the Bill may be committed.

Lord Coventry. I seldom trouble Your Lordships but in an Affair of such Consequence should think myself unworthy of a Seat in this House could I sit here without giving my Reasons for my Dissenting to the further proceeding in this Bill.

The reasons He has heard for this Bill are all such as Nothing but Imbecillity and Impotence could adopt.

As I can't find any Reason for the Repeal, will give your Lordships what I think a good Reason for not repealing it.

You have come into a Resolution asserting your Right and at the same time you're doing an Act by which you give up that Right.

I speak from Principle. I have not varied my thoughts on this Matter 3 or 4 times during the Dependence of the Bill.

Duke of Newcastle. Have never varied my opinion during the Progress of this Bill and shall upon the present occasion give Your Lordships my Reasons for wishing the Repeal of this Bill.

With Regard to the Commercial Interests of this Country—from [the] best Intelligence I can receive the Trade of this Country is declining in Every other part of the World but America. The Turkey Trade our Rivals the French have taken a great part from us. Our Mediteranean Trade is much lessened. Our Portugal notwithstanding the immense sums We have Expended on their account has been

deminishing for several years past and is now in a state I'm sorry to see it in.

[He] alludes to the London Petition and other Petitions to House of Commons and the General State of the American Trade from which (if Nothing else was considered) [there] would be sufficient to shew the Inexpediency of continuing the Stamp Act in America.

Lord Sandwich. Differs so totally with the Noble Duke in what He has said that He chooses to take it up on his Ground.

1st. He thinks that the Reall Commercial Interests of this Country will be greatly affected if this Act repealed.

The present Bill, the most destructive that Ever came into this House, has forced its way through another House by means of that Democratic Interest which this House was constituted to restrain. In this Assembly Men have a Seat by Birth not Election so that No Influence by Electors can be here used.

[It is] Not enough to say you've a Right to lay a Tax—if you don't levy it.

In order to consider the Matter fairly—State what the Americans expect from you and what they're willing to give in Return.

The Americans want to get loose from the Act of Navigation. All the Complaints made against the ships station'd on their Coasts to prevent illicit Trade tend to this purpose.

The Stamp Act [is] not the Object of their Sedition but to try their ground whether by Resistance they can get themselves loose from other Acts more disagreeable and detrimental to them.

Till now I thought the Peace of Fountainbleau One of the greatest Acts ever done for this Country—And that the Persons who Negotiated and planned it deserved the highest Honours from their Country. But if this Act passes I shall alter my Opinion of it. If the Increase of Territory is not increase [of] the Public Revenue we should give it up again in order to save the Expence of defending it. Does not France when She adds Alsace or any other conquered Province add to her Revenue by laying Duties or Taxes on such Provinces?

But will America come to a Compromise in this Matter? Will She on our giving up the Stamp Act give up the Bounties and other Commercial Advantages they have from this Country?

Before I conclude allow me to declare it is my firm Resolution steadily to oppose this and Every other Mode of Partial and unequal Taxation.

I have heard of Another Attempt intended to lay a Tax of this kind.

If [the] Majority should be for passing this Act [I] will enter a public protest.

Duke of Grafton. One Point that all agree in—that the Stamp Act as it now is [is] improper to Stand as a Statute.

If the Dignity of Legislature is to be maintained it is not to be maintained by supporting a Law full of Imperfections and Absurdities.

If the late Ministry had laid before this and the other House the Intelligence they were possessed of I really think this Act such as it is never would have past. If not then It is much more proper now that it Should continue no longer, as the Americans who were then much disconnected are now totally connected on this point.

It is computed that there are now 100,000 Manufacturers out of Employ in Great Britain waiting for the Event of this Act. What must

be the Consequence of not repealing it? An Increase of Poor Rates. A Diminution of the Revenues of Excise. A Loss of the Great Debt from America to England.

It is said that America is not taxed. I answer they pay Taxes in taking your Manufactures. In different Colonies they have various Taxes for internal purposes which in some of the provinces are very high.

If however America is not sufficiently taxed, there are other Means by which they may be taxed—don't tax them universally. By that means you join them when you should keep them asunder.

Lord Halifax. [The] Noble Duke has not in the Course of his Speech pointed out any Defects of the Stamp Act. [He] knows none except as to the Admiralty Court, which might have been obviated if the present Administration had given proper Attention.

If we repeal this Bill we give up the Dignity of this House and the Commerce of the Kingdom. If we amend it in the parts which want amendment we shall preserve both.

By the Papers on your Table and by Accounts I have seen out Doors it appears that this Act will execute itself if the Administration had Spirit enough to enforce it.

Instead of sending 10000 Men to enforce I've always [believed that] 2 or 3 20 Gun-Ships properly stationed would enforce it.

Another Thing I would propose—to alter the Duty and take it off as far as relates from [to] clearing out or coming in of Ships and leave it to operate in all internal Cases which I doubt not would make it go down.

But the Fact is, as it appears from the Papers on your Lordships Table, that it is not the Stamp Act that is opposed but the Authority of this Legislature.

Blame has been thrown on the late Administration of which I was a Part for not laying the Resolutions of [the] American Assemblies before Parliament.

[He] refers to the Order of Council on that Head which Shews that Several Members of Council thought it improper to lay these Papers before Parliament, among whom I was one.

I am against the passing of this Bill, for the sake of Every one of the Bodies of Men for the sake of whom it is pretended to be ushered in here.

As to the Merchants they may receive a Present immediate Advantage by touching the Money at present due to them, but the Blow which will be given to Commerce will be felt by them and their posterity.

As to the Manufacturers—Let them be Employed at the Expence of the Publick for the Advantage of publick till Things become more settled, which would not be long.

As to the Americans. Take from them the Advantage of the British Legislature, they would in a Short time be totally ruined.

Duke of Richmond. Thinks the Principle of the Bill absurd.

That America should be Taxed. The Ballance of Trade with America is in our favour. [The taxing means] the taking away from them the Money with which She was to pay that Ballance. [It] has been said that Americans were returning to their Duty.

How is that reconcileable with the Letters read this Day which say that they are now sending out Emissaries from Town to Town in order to spread the Discontent?

[He] thinks the Noble Lord [Halifax] has not at all justified himself for not laying the Papers before Parliament at the time the Stamp Act was under the Consideration of the House. He had an Order of Councill to do it and the neglect to do it, unless his Lordship can shew another Order to the contrary—hopes his Lordship will think it necessary to clear himself on Account of his keeping back these papers, which He can call by no other name than secreting them when ordered by Council to lay them before Parliament.

Lord Poulet, for the Bill.

Lord Pomfret for Bill.

Lord Botetourt against Repeal.

Lord Suffolk. Your Lordships have almost unanimously come to a Resolution that you've a Right to impose Taxes on America—And now you are falsifying that Resolution and submitting to the Resolutions and Commands of the Americans.

They are not to be satisfied with a Modification of the Law nor with an Absolute Repeal.

It is not wonderful that the Americans should wish to shake off the Shackles of Great Britain but it is wonderful that she should find a Sett of men in England ready to second her in these Intentions.

I have with Consistency held the same Ideas with regard to America. I consider her as an Unfortunate People misled by Factious Judges and Seditious Lawyers.

The Noble Lords who said that you have No Right have acted consistently. But what shall be said of those who have been clear in their Sentiments of Acknowledging the Right and would now give up that Right by passing the Bill of Repeal?

Your Lordships, who are the Hereditary Councill of this Kingdom, not subject to the Caprice of interested Electors, will view this Matter in the proper Light and will interpose as is your Duty for the Benefit and preservation of the whole.

I have the greatest Compassion for our Brethren the Americans and for their Sakes would not consent to the weakening the Authority of the Mother Country.

It has been said that it is in this Respect adviseable to give way to the Americans but if they dared to oppose the Navigation Act or any other Law then a Stand ought to be made against them.

It may not be improper for us to consider what may be the Consequence of this Repeal. May it not be that the Americans will make further Demands till they by Degrees gett to Independency and at last give Law to these from whom they have received it?

Lord Chancellor [Lord Northington] hopes to shew my Principles and Conduct in this Matter—consistent from the Beginning and with the King's speech and Your Lordships' Address.

The Question before you seems to me of a very different Consideration than has been given by Lords of one side or the other.

The Declaratory Bill though not of my begetting I adopted as a Foundation upon which to build a proper Super-Structure.

I reverence those who differ with me in Opinion as much as those who concur with me.

Very great persons have differed in Opinion with me on a very great and interesting Subject. [I] have had the happiness to be justified in my Opinion by the Joint Resolution of both Houses.

If it should be thought right to introduce a Metropolitan Police in America, The Declaratory Bill will be the foundation of it.

Three Months before the Meeting of Parliament [he] declared his Opinion, declares so now, that the Opposition to the Executing the Stamp Act was Rebellion. But how is this Rebellion to be quelled by the Authority of Parliament Only?

In this Case the House of Commons who have alone the Power of giving Subsidies have sent up a Bill for repealing the Stamp Act. The Stamp Act cannot at this time be altered or modified. The only Question is whether the Act of Repeal shall pass or not.

My Conduct in that House may not be able but I'm sure it is not [*sic*] Honest. I have No Engagements nor am I linked with any person and have No Prompter but my Conscience, And guided by that Conscience I would not reject this Bill of Repeal for the Value of all the Estates of the Lords who have spoke in this Debate. What is the Consequence of not repealing it? If it cant be carried into Execution It is putting a Law in the King's Hands which he is sworn to Execute but [h]as not power.

Can I my Lords, a Reall Patriot that despise Fame and Profit when it interferences with my Country's Benefit, Vote against a Repeal sent up by the other House of Parliament who have the right of granting the Subsidies?

What will be the Consequence of rejecting this Bill? Is it not holding out an Invitation to other Insurrections besides those which have already happened in America?

As the House is cleared and none of the House of Commons here I will tell your Lordships what I have read in their Votes and heard out of the House. They have come to a Resolution telling all America their Merchants and their Dependants that they are of Opinion the Bill ought to be repealed. Will Your Lordships by disagreeing with them prevent or delay a Supply? what ruinous Consequence may [that] be attended with.

I have always [been] of Opinion that a Bill of Police is absolutely necessary to be introduced into America. I dont know whether I shall live to see that Police introduced.

The Business requires a great deal of trouble. The time for introducing that Policy is when the Three Branches of Legislature and a firm Ministry concur in introducing it.

Lord Littleton [Lyttelton]. Your Lordships have upon the present Occasion your own Constancy and Dignity to maintain.

You have frequently interposed and when the Civium Ardor prava jubentium had brought the State into great Danger.

It is asked whether the Disagreement with the other House of Parliament might not be attended with the worst Consequences. I think it cannot.

It is impossible to argue stronger against this Bill than Your Lordships have already done by your Resolution declaring the Right.

From the time I first heard of the Insurrections in America in Opposition to this Act I had many Apprehensions for the Consequences which might attend them, but never had the least Suspicion that the Legislature meant on Account of that Opposition to give up the Law.

When this great Concession is made We are, tis said, to be firm in

maintaining all the Laws there, particularly those for regulating their Commerce, which very laws it appears from the Proofs on your Table are the Ground of the present Opposition.

There is no surer Symptom of Infirmity in a Government than to give way to Violence and Opposition which would be Effectually quelled by Exertion of a proper Spirit.

The Point on which We are debating is no Question of Expediency, it is a Question of Sovereignty till the Americans submit to this Legislature.

The repealing the Law is such an Encouragement to the Plan of Intimidation taken up by the Americans as may make them much more unreasonable in future Demands. Their Insolence will encrease by Concessions and where it will stop is not to be known.

By talking big and acting meanly we shall probably draw on us the Contempt of all Europe.

Lord Wickham [Wycombe, *i.e.*, the Earl of Shelburne]. The Principles with which I shall at present trouble your Lordships are all commercial.

Trade and Commerce are the Riches of this Kingdom—And in order to make the Provinces contribute to this Commerce in the proper way you are to take Care they take no Manufacture from other Countries, and that they don't introduce Manufactures there.

The North American trade consists of Gentlemen who carry on Trade for their own Benefit or by Factors.

The Ballance and Advantage of the Colony Trade arises from the Exportation to the other Countries of Europe.

Lord Mansfield. Things are now brought to so perilous a Situation that you have Nothing left you but come to Measures which are at best doubtful in their Consequences.

Refused a Proxy because He would not trust himself with the Vote of any Lord but his own.

The Mischiefs which will attend rejecting this Bill are obvious certain and immediate—on the other Side the Admitting it to pass may be a Measure which instead of removing the Evil may leave a perpetual one in the Room of it.

To see the Consequences of this Bill being past We've to consider the both Bills together.

It is now settled that there is no Restriction to the Legislative Authority of Great Britain.

The Americans have adopted on this fatal Occasion a New Principle that they are not subject to the Legislative Authority of Great Britain. They have refused the Law—have made Reprisals on the Effects of the English there and told them Either repeal the Bill or you shan't have your Effects.

In this Situation what is the Effect [of] repealing this Act? It is the giving up the total Legislature of this Kingdom.

This is the Side of the Measure which Your Lordships ought to consider.

I did throw out in the Beginning of this Debate a Wish that the Declaratory Bill might be amended in such a Manner as to make the Repeal of the Bill agreeable to me.

It declares you have a Right which they say you have not—you

then declare their Resolutions to be null and void, which without your Declarations are so in Effect as being without foundation.

If a Bill passes which destroys the Land Marks of the Constitution it is without Remedy.

This was the Case when King Charles made the Parliament perpetual. It was the Case when the Parliament gave King James his Revenue for life. He then took the Dispensing Power of himself and could not be obliged to give it up.

May not the passing this Bill put us in a Situation of being dictated to by the Americans, who may think they have a Right to an Open Trade and Establishment of Manufactures. What then will become of us?

I have now satisfied my own Conscience and if the Measure is carried I shall give Every Assistance to it in my power.

Lord Camden [Camden]. Some Things which have dropt from the Noble Lord who spoke last make it necessary for me to rise in order to bring Your Lordships to what has been conceived to be the Point in Debate till the Noble Lord took up a New Ground—that the Colonies had disclaimed the Legislative Authority of Great Britain and that it was a Conflict between Great Britain and America which should be the Superior. If that was the reall Question I should and so would Every Lord concur with the Noble Lord in his Sentiments on this Matter.

If therefore it should be proved that the Americans meant only to oppose the Law at present under Consideration, I should his Lordship would alter his Opinion.

The true Cause of the Discontent of the Americans has arose from the Rigour and Hardship of the Stamp Act. It stands upon a principle, that it is politic to call upon the Plantations to pay a perpetual Revenue and Tax in Aid of the Mother Country.

Now the true Connection between the Colonies and Great Britain is commercial.

The Statute of King Charles is introduced with a Recital which [is] very opposite to this Idea—reads Preamble.

This Preamble exactly points out the true State of Great Britain with respect to her Colonies.

If when the present Act was under Contemplation the Americans had thought it proper to apply for a Liberty to tax themselves you would have given it them.

Polybius's Description of the Arcadians being ill-taught Musick etc.⁴⁶ Liberty has had the same Effects on the Americans. From this They have grown up to the Height they are and will still proceed to grow unless checkt in the growth.

From the 15 Car. 2 down to this Day there never was a Murmur against the Legislative Authority of Great Britain. What is it has changed their minds? No other Cause than the Grievances heapt upon them by the late Revenue Acts.

The Projector must have seen that Difficulties must attend the Experiment, but this was rather an Incentive than a Discouragement, and a Double Plan of Policy was to take place; 1st, to strip them of their purses, and then to tame their Spirits.

Mentions the Several Revenue Acts—and the Stamp Act which takes

⁴⁶ Polybius, *Hist.*, IV. 20.

away trial by Jury and Establishes in its place the Flag of the Admiralty a Court where Witnesses are examined in private and their Judges and Officers paid out of the Condemnation Money. [It is] Very improper to think that the Evidence of the Governors, Custom Officers and Officers in the Army a sufficient proof of Every Thing they have thought proper to assert.

It is the Stamp Act and that only, whatever these people say, that has been the Ground of the present Confusion in America—take away that and you restore it to peace and Tranquillity; but drive them to Desperation and I will not answer for the Consequence. But if after repealing this Law they should still continue Refractory Force must be used.

Lord Townshend. [I] rise up on Account of a Fact which the Noble Lord mentioned, in hopes that it will induce the Noble Lord to be of same Opinion with myself. [He] reads Extracts out of the Resolutions of Massachusetts Bay after the passing the Act relating to Melasses, where they dispute the power of the Parliaments having Right to bind them by Laws without their Consent.

The Noble Lord [Camden] has given us an Arcadian Description. He has given us nothing but Arcadian Descriptions of America during the Course of this debate.

Lord Temple. [I] shall begin with speaking on the subject of the Stamp Act, the Principle of which has been submitted to for near a Century. As to the particular Parts which may be Exceptionable it is not now under Consideration.⁴⁷

⁴⁷ Cobbett (see above, p. 576) mentions that the Duke of Bedford spoke after Temple.

REVIEWS OF BOOKS

GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

The Mind of Primitive Man. By FRANZ BOAS. [A course of lectures delivered before the Lowell Institute, Boston, Mass., and the National University of Mexico, 1910-1911.] (New York: The Macmillan Company. 1911. Pp. x, 294.)

PROFESSOR BOAS bespeaks, in his closing words, "a greater tolerance of forms of civilization different from our own", and hopes that he may have helped to form a "conviction, that, as all races have contributed in the past to cultural progress in one way or another, so they will be capable of advancing the interests of mankind, if we are only willing to give them a fair opportunity". As this paragraph closes a chapter which contains a strong advocacy of the negro in the United States, it might appear that the book under review is a sort of special plea for the "lower" races. But this is not so; it combats a number of current views, but it has no programme. It is a scientific work, replete with fact and reason.

Dr. Boas is like George Catlin and others who have known several primitive peoples from protracted residence among them, and who return to reprove the current sentiment of contempt or misprision with which the less advanced races are viewed. Catlin insisted that the bad Indians were those who were made so by the social environment forced upon them through the irruption of the whites. Similarly, Boas refers our attitude toward primitive peoples in general to an insufficient realization of the power of social environment—upon them and upon ourselves. How the mode of thought, with us as with them, depends upon traditional materials, he makes very clear by a series of examples, which recall in some degree the masses of instances in Sumner's *Folkways*.

One very important piece of argumentation is that by which the author seems to strike at the vitals of the method of Tylor and others, in that he assaults the validity of the ideas about *series* and *parallelism* in social evolution. He believes that the comparison of "types of culture represented by primitive people and those conditions which prevailed among the ancestors of the present civilized peoples, at the dawn of history", presents analogues, and that these latter are supported by the evidence from survivals, but that "the evidence of archaeology does not support the complete generalization". Ethnic phenomena, he says, are not always due to the same causes; and he illustrates at some length from archaeology; "the sameness of ethnic phenomena is more superficial than complete, more apparent than real".

Probably no one, once past the early days of not too intelligent discipleship, would be disposed to take much issue with what is said; and the author emerges from his discussion, in any case, with a novel formulation of his faith, and one worth thinking about. "We recognize", he writes, "a peculiar tendency of diverse customs and beliefs to converge toward similar forms". It is difficult to see why the existence of a peculiar tendency toward parallelism does not form a sufficient basis for about all one cares to do along the line of Tylor and the school represented by him. One might agree to all that Professor Boas has to say about our uncertainty as to exact origins, admit that we have paid too little attention to individual variations, and yet hold with Tylor to a belief in series and parallelism, phenomena due "to the unity of the human mind and the consequent similar response to outer and inner stimuli". It is impossible to go into an extended discussion of this matter here, and it is also unnecessary; for it appears that the author, though he lays more at the door of acculturation than some would, is effective in correcting and refining the idea of parallelism rather than in disposing of it.

No person interested in primitive life can afford to leave unread what is said, out of copious and well-digested experience, about the misinterpretations of the mental traits of primitive man. "I will say right here that the traveller or student measures the fickleness of the people by the importance which he attributes to the actions or purposes in which they do not persevere, and he weighs the impulse for outbursts of passion by his standard." That is, he is always reading into the savage mind what is in his own as a result of the life he has led in an environment which has set his values for him. The tendency of the author to get down to facts and to avoid metaphysical constructions is one which calls for praise and should evoke imitation.

It is hard to pass over many a page of admirable exposition—admirable, whether disputable or not—in this little book; but it is absolutely necessary to refer to the startling matter, original with the author, relative to the influence of environment upon a race character commonly assumed to be among the most stable—the cranial index. The shape of the skull turns out, according to the measurements given by Professor Boas, to be readily, though inexplicably, modifiable by transfer of a race from Europe to America. The normal index of East European Hebrews, for example, is about 83; but for the children born immediately after the immigration of their parents, it drops to about 82; and in the second generation reaches 79. The shape of the face suffers a concomitant change. "In other words, the effect of American environment makes itself felt immediately, and increases slowly with the increase of time elapsed between the immigration of the parents and the birth of the child."

It is to be hoped that these results will speedily be tested by other observers, for it is needless to say that the establishment of this plasticity

of form, apparently entirely unexpected by the investigator, means the general discrediting of craniology, so far, at least, as the cephalic index is concerned. Somatic anthropologists who make some specialty of craniometry cannot but have an absorbing interest in Professor Boas's results; for his high reputation insures the scrupulousness of his procedure.

The Mind of Primitive Man is a good book to read—clear and forceful, simple in language, attractive in style, and devoid of metaphysical wanderings.

ALBERT G. KELLER.

Hellenistic Athens: an Historical Essay. By WILLIAM SCOTT FERGUSON, Assistant Professor of History, Harvard College. (New York: The Macmillan Company. 1911. Pp. xviii, 487.)

IN ten chapters Professor Ferguson "has aimed to trace the general movement of Athenian affairs from the death of Alexander the Great in 323 B.C. to the sack of Athens by Sulla in 86 B.C." Athens had the most "eventful and individual experience" of any of the small city-states which were gradually transformed, during this period of a little more than two centuries, "into municipalities of large territorial empires". Hence this special study of her history during the transformation. The historians of Hellenism—Thirlwall, Droysen, Holm, Niese, Beloch, Susemihl, Mahaffy, and others—have dealt with Athens only incidentally, from the standpoint of the great organizing powers of the period; or with special reference to particular phases of her development. A connected history of Athens during the Hellenistic period, treating with due perspective her political, social, economic, and intellectual life, has hitherto been lacking.

The book by which Professor Ferguson supplies this lack is the outcome of thirteen years' intensive study of the Hellenistic period, and of as many learned and able papers published during this time in various places (p. 470). These papers have given him high rank among scholars of America and Europe as chronologist and epigraphist, certainly the two most essential requisites in one who would reconstruct for himself, in order to portray to others, the career of Hellenistic Athens. For the literary tradition of the Hellenistic period is provokingly fragmentary, and it is only from its inscriptions "that we obtain our knowledge of the institutions of public and social life, of the families and persons influential at particular epochs, of the religious and economic currents—in fact, of the entire inner life of the people" (p. 468). From the standpoint of chronologists and epigraphists or students of papyri—and to the latter we now owe extensive fragments of five comedies of Menander which must hereafter serve as a basis for the proper treatment of historical material found in the New Comedy—Professor Ferguson's book will leave little if anything to be desired. Particularly in what we

may call the sociologic parts of chapters III. and IX., entitled *The Régime of Demetrius of Phalerum*, and *Athens and Delos* respectively, is newly published and even still unpublished epigraphical material served up with almost bewildering profusion.

In spite of its scientific precision, and perhaps because of the unstinted wealth of new and interesting detail which it incorporates, the book is not an easy one to read. It cannot have been an easy one to write. There are long stretches of dullness in the career of Hellenistic Athens which no literary skill can make anything but dull in the portrayal, if the portrayal is a true one. Possibly Professor Ferguson would say to us, his grateful readers, what Mommsen said to the readers of the fifth volume of his *History of Rome*: "Mit Entsagung ist dies Buch geschrieben und mit Entsagung möchte es gelesen sein." Certain it is that parts of *Hellenistic Athens* must be read, if read at all, "mit Entsagung". And yet there are glowing pages, where the subject-matter glows. And nothing of vigor and clarity is lacking in the fourth chapter, entitled *The Crushing of Athens between Macedon and Egypt*. The picture of Athenian culture while Athens, under a government of moderates which would have won the approval of Thucydides, son of Olorus, and Theramenes, son of Hagnon, could safely coquet with Antigonus Gonatas and Ptolemy Philadelphus, is full of a tender sadness. "The universal", in sculpture, "was still potent to guide the chisel towards something with which all mankind could have sympathy, while the individual or personal came to lend its infinite variety, its co-efficient of historic interest, to the creations of the imagination". And even after the commercial importance of Athens had disappeared with her "owls", and the Muses had gone forth not from the house of the aged Philemon alone, "but from the city in which they had made their home for over two hundred years", there was still residual culture enough in the place to bring from Heracleides the Critic, in the last quarter of the third century B.C., the assurance that "Athens surpasses other cities in all that makes for the enjoyment and betterment of life, by as much as other cities surpass the country". This residual culture, too, that of the age of Eurycleides, inspires Professor Ferguson to write a spirited and noble chapter (chapter VI.).

A more plentiful use of dates and sub-titles, and perhaps the insertion of these in the pages of the text as marginal insets, would doubtless remove much of the difficulty which even the professional reader will have in using the book with ease and pleasure. The printing is exceptionally correct and good. Of actual misprints, very few have been noticed: "Cadmia", page 14; "to-day", for to say, page 22; "Gonatus" for Gonatas, twice on page 115. Trifling inconsistencies, like "waggon", page 77, but "wagons", page 92; "Lycurgus' son", page 102, but "Antigonus's position", page 191, will doubtless disappear in subsequent editions. It is hard to see why "deme", page 96 and *passim*, "acme",

page 293, should have italics, while "ephebes", page 353 and *passim*, does not. The word "Atticans" should have its explanation at page 227, where it first occurs, rather than at page 262. And possibly European readers may be at some loss to understand the meaning of "the collapse of Brahminism in Athens" (p. 311).

B. PERRIN.

The Topography and Monuments of Ancient Rome. By SAMUEL BALL PLATNER, Western Reserve University. Second edition, revised and enlarged. (Boston: Allyn and Bacon. 1911. Pp. xiv, 538.)

THOUGH only seven years have elapsed since the first edition of this handbook appeared, the need of a revision has long been felt by students of Roman topography. For, notwithstanding the fact that the most important excavations of the last twenty years were practically completed in 1904, their results were not yet fully reported and carefully examined in all their bearings. In the meantime much fruitful work has been done, and the progress of knowledge has been unusually rapid. Of this progress Professor Platner has been able to take full advantage, especially on account of the fact that for several months during which his book was in press he was in Rome and had ample opportunity to verify his conclusions in the presence of the monuments themselves. These circumstances have combined to place the new volume on a far higher plane than its predecessor in point of scientific accuracy and usefulness. In fact, it is without doubt the best guide to the topography and monuments of ancient Rome now available in English.

The author's familiarity with recent literature is seen on almost every page. For example, on page 44 ff., he gives the theory of the origin of the city recently advanced by Kornemann, Pinza, Carter, and others, though he still regards it as less probable than the traditional view which has prevailed since Varro. His discussion of the earliest remains on the Palatine (pp. 110, 131) is practically new, and his account of the Særvian wall is now in harmony with the latest research. On page 142 he is inclined to accept Pinza's recent theory with regard to the site of the temple of Apollo near the west corner of the Palatine, and his mention of three doors in the front of the Basilica Aemilia (p. 196) shows recent study of the ruins themselves, inasmuch as no report of the latest excavations on that site has yet been published.

In some minor points, however, the book is still open to criticism. On page 64 there is inaccuracy in the statement about "three famous inscriptions which are built into the wall over" gates of the Aurelian wall, for only the one over the Porta Tiburtina is *in situ*, and that which was originally over the Porta Portuensis disappeared centuries ago. In his description of the round temple of the Forum Boarium on page 401,

the author might have mentioned the fact that one of the twenty columns of the peristyle is missing, and to his list of *horrea* named after persons on page 418, he might have added the *Horrea Faeniana*, which I brought to light in the *American Journal of Philology* (XXX. 159). Here and there, also, the bibliographies leave something to be desired, a lack which is doubtless due in large measure to the slowness of the processes of publication. For example, on page 72, note 2, Hülsen's recent article on the fire of Nero (*A. J. A.*, 1909, p. 45) and Profumo's reply (*Riv. St. Ant.*, 1909, p. 3 ff.) are missing; on page xiii, Hülsen-Carter, *The Roman Forum*, is given in the first edition (1906), though the second appears on page 170; on page 248 a reference to Stein's report in *Bursian*, 1909, page 162, would have been helpful; and on page 362, note 1, the important monographs of Gardthausen (1908) and Studniczka (1909) should have been mentioned. It is unfortunate, too, that Gräffunder's thoroughgoing researches on the age of the Servian wall (*Klio*, 1911, pp. 83-123), which were certainly known to the author (p. 116, note 2), were printed too late to be included. These, however, are but slight faults in a work of such extent, and their mention should not be allowed to obscure the fact that Professor Platner has given us a book of the highest value, a book which on the whole adequately represents the present state of knowledge in the field of Roman topography.

HARRY LANGFORD WILSON.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

The Cambridge Medieval History. Planned by J. B. BURY, M.A., Regius Professor of Modern History. Edited by H. M. GWATKIN, M.A., and J. P. WHITNEY, B.D. Volume I. *The Christian Roman Empire and the Foundation of the Teutonic Kingdoms*. (New York: The Macmillan Company. 1911. Pp. xxii, 754.)

THE *Cambridge Medieval History* is very like its predecessor, the *Cambridge Modern History*. One notable improvement has been adopted, the publication with each volume of a series of illustrative maps. Otherwise, as in the earlier work, there is a group of chapters on a definable portion of the larger field, by various writers; following the text, a series of bibliographies, according to chapters—selective bibliographies but including as a rule little or no comment on the matter listed; next, a chronological table of leading events; then an index—which promises to be somewhat fuller than in the *Modern History*.

To the present volume—the first of eight projected—twenty different scholars have contributed more than as many chapters. The result is necessarily a sort of historical mosaic; however, a mosaic planned and constructed to fill a certain place. The work is intended, say its editors, "partly for the general reader, as a clear and, as far as possible, inter-

esting narrative; partly for the student, as a summary of ascertained facts . . . partly as a book of reference, containing all that can reasonably be required in a comprehensive work of general history". So much for the audience in view. Who should occupy the stage? Special students in the various subjects, engaged to tell, not with an apparatus of notes such as the investigator would need and demand, but simply out of the fullness of their own knowledge, what they may say trustworthily as acquired fact; thus giving, as Lord Acton expressed it, "history as each of the several parts is known to the man who knows it best".

It would appear that the audience in Britain which wishes to be addressed on history in this way is very considerable. Its members may hardly be said to be averse to presentations in literary style, nor exactly to be opposed to notes. Only, they entertain no special care for the investigator's apparatus, and they desire primarily the facts, acquired knowledge, intelligibly—but not necessarily artistically—set forth. Is there not a perceptible audience of this sort on our side of the Atlantic too? Should we be the worse off if it were larger? In any case here is a work which seems to be aimed at folk of such type. Shall we find fault with it for not being something different, or take it as it is and see how or from what portions of it we can likely profit most?

To realize the aims of the work has obviously been the problem, in the last resort, of those contributing the several chapters. That they have succeeded only in varying degrees goes almost without saying. Probably some of them scarcely perceived just what was wanted. In any event not all of them might surely choose the best way of doing their part, and even if they all agreed as to the best way their skill in following it out must likely prove diverse. Classifying broadly, some of the contributors to the present volume have proceeded as if they were to tell, not primarily of a subject but what the documents available say on the subject, or on this or that question about it. Others have kept well to the subject, but have treated it after the manner merely of a summary of data, human events with the human quite omitted. Others again—and to them let us accord the laurel—have kept to the subject, have set forth the facts upon it, and besides have arisen to varying heights—some to real summits—in comment on the facts.

In what proportion do these several degrees of attainment appear in the present volume? Of chapters I.-III., which relate to the later Empire, two are throughout ably and helpfully done: that in which Professor Gwatkin sets forth the rise of Constantine, his reunion of the Empire, his conversion to Christianity, the political side of the Nicene Council, and the foundation of Constantinople; and that on the Reorganization of the Empire, in which Professor J. S. Reid gives an account of the reforms of Diocletian and Constantine and describes the features which Roman administration wore for centuries after. The third—on Constantine's Successors to Jovian: and the Struggle with Persia, by Mr. Norman H. Baynes—leans more toward the character of a summary;

but it has a human touch here and there, findable joints, and some especially good pages on Julian. The next three chapters treat of the Church in the time of the Empire: *The Triumph of Christianity*, by Principal Lindsay; *Arianism*, by Professor Gwatkin; *The Organization of the Church*, by Mr. C. H. Turner. All three are well done, so well that they belong easily in the first class. No one of them is to be read while running—though Mr. Lindsay's comes nearest to that—but each will repay him who is thoughtful and takes time.

With the third block of chapters, VII.-XV., on the Teutons and other invaders of the Empire, the long battle against them and their ultimate victory—the case is not so generally favorable. Dr. Martin Bang and Dr. M. Manitius carry the story of the Teutons, the one to 378, the other from 378 to 412. Both furnish useful material for reference, but do extremely little else. Sandwiched between their accounts is a survey of ground largely the same, but from the Roman side, *The Dynasty of Valentinian and Theodosius the Great*, by Mr. Baynes: in sequence to his preceding chapter but far more of the order of summary. On the various invading peoples from the early fifth century, Ludwig Schmidt, a specially distinguished scholar in the field, writes of the Visigoths in Gaul, of the Sueves, Alans, and Vandals in Spain, and the Vandal Dominion in Africa, and of Attila. He gives much assured information, but unfortunately leaves it mostly juiceless. Mr. F. G. M. Beck presents, not the subject of the Teutonic conquest of Britain, but the evidence on several questions concerning it. What he says should at least prove useful in controlling the traditional dicta on the matter. M. Maurice Dumoulin treats *The Kingdom of Italy under Odovacar and Theodoric*, but, alas! with regard not so much to the subject as to what the documents say.

Happily some parts of this block of the work promise wider usefulness. Such are the few pages in which M. Christian Pfister gives a lucid account of the Franks before Clovis—showing what is possible even with such a subject. Such also is the half-chapter—readable as well as able—in which Professor Haverfield treats of Roman Britain. Of special promise is Dr. T. Peisker's *The Asiatic Background*, an account of Central Asia and the Altaian mounted nomads, written by a master of the subject and packed with fresh and informing matter. As the editors say, there is not much history in it; but it should light up for many a student much of the history of Europe. In a better known field but on a higher plane of treatment is *Italy and the West, 410-476*, by Mr. Ernest Barker. This chapter is good enough—save possibly in some of its later pages—to make one all but forget the shortcomings of most of its fellows in the same block.

The last half-dozen chapters, XVI.-XXI., treat of various subjects, and again, variously well. *The Eastern Provinces from Arcadius to Anastasius*, by Mr. E. W. Brooks, is in the main a prosaic record of a time not altogether prosaic. *Thoughts and Ideas of the Period*, by Mr. H. F.

Stewart, has at least some pages that are well done. Mr. Lethaby's *Early Christian Art* is little more than a collection of data. All in the best class are Miss Gardner's *Religious Disunion in the Fifth Century*—setting out well the main lines of controversy and its fruits for the Empire; Dom E. C. Butler's *Monasticism*—tracing lucidly and sympathetically the growth of monasticism and its main forms through the establishment of the Benedictine rule; and Professor Vinogradoff's *Social and Economic Conditions in the Roman Empire*—a little technical and heavy on the formation of the colonate, but a thoughtful and helpful general view.

Thus fully half of this volume may well challenge the interest of serious readers upon the early Middle Ages. Doubtless many of us could wish the work were of a different sort, but there is ample reason for gratefully accepting it as it is.

E. W. Dow.

Naval Strategy Compared and Contrasted with the Principles and Practice of Military Operations on Land. Lectures delivered at U. S. War College, Newport, R. I., between the years 1887 and 1911, by Captain A. T. MAHAN, D.C.L., LL.D., United States Navy. (Boston: Little, Brown, and Company. 1911. Pp. xxii, 475.)

BELIEVING that in the study of history would be found ample illustration of the principles of sound naval strategy, Captain Mahan first wrote a series of lectures which were afterwards published under the title of *The Influence of Sea Power upon History, 1660-1783*. It was upon this foundation that he then built up the formulation of principles of naval strategy contained in the original lectures which are here presented in their revised and expanded form.

He says that experience is history in the making but experience is quickly forgotten unless recorded. History on the other hand is experience recorded and so these lectures are simply the announcement of principles and illustrations drawn from history in their support.

Four chapters are devoted to Historical Illustrations and Comments on the importance and value of (1) concentration, whether it be of a force on land or on the sea; and, as a means thereto, (2) of a central line or position, (3) of interior lines of movement which such a position presents, and (4) of the bearing of communications upon military tenure and success. These are followed by chapters on the Foundations and Principles of strategy and the application of these principles to the Caribbean and the Gulf of Mexico.

The whole volume is practically devoted to an exposition of the great principle of concentration and there are but few pages in the book that do not bring forward some illustration drawn from history that has a bearing on this principle.

Concentration, however, is not necessarily a literal collection of the entire force. "The essential underlying idea is that of mutual support", and, he says, "This consideration, in my judgment, absolutely forbids the division of the present fleet of the United States between the two principal coasts". The halves would then be beyond supporting distance. Russia divided its fleet in the late war, between Port Arthur and the Baltic, which permitted Japan, whose fleet was inferior to Russia's whole, to defeat it in detail.

In discussing the protection afforded by a concentrated superior fleet he states that, "So long as the British fleet can maintain and assert superiority in the North Sea and around the British Islands, the entire Imperial system stands secure." This does not mean that an inferior navy may not by successful evasion and subsequent surprise seize positions in distant parts of the world, as the French did when in 1756 they captured Minorca. "The impulse to try to protect every point can only be overcome by sound principles." At the time of our hostilities with Spain, the Navy Department was besieged with applications for local protection. The detention of the Flying Squadron on the North Atlantic coast which could have been better employed in blockade and dispatch duty may be considered a concession to this alarm—but he says, "In a military sense, as affecting ultimate national safety and victory, it will not matter if one coast suffer raid, blockade, bombardment, or capture, if meanwhile the enemy's fleet be destroyed—with such destruction every other loss is retrievable, *provided* the country, which is not willing to make military preparation beforehand, proves willing to endure the burden of such exertions as may be necessary to reduce to submission an invader whose communications and retreat are both cut off."

Regarding the influence of political questions on naval strategy, while he says they "are primarily the concern of statesmen" he also declares that they are also among the data which the strategist, naval as well as land, has to consider, because they are among the elements which determine the constitution and size of the fleet and the selection of naval bases.

There is one terse sentence that he gives that is illustrative of concentration of effort, and deserves more than anything else to be remembered by every man and officer. "A fleet is half beaten when it goes into battle with one eye upon something else than fighting."

Portolan Charts: their Origin and Characteristics, with a Descriptive List of those belonging to the Hispanic Society of America. By EDWARD LUTHER STEVENSON, Ph.D. (New York: The Hispanic Society. 1911. Pp. vii, 76.)

THE monograph by Professor Stevenson describes thirty-two portolan charts and atlases in the collection of the Hispanic Society of America,

dating from the early fifteenth century to the year 1650. It is illustrated by fifteen reproductions on a small scale, which give only a general idea of the appearance of such maps. The author, who is our best authority on early cartography, has preceded the full description of each chart by a short but interesting notice of the portolani in general. The study of cartography in the early period of map-making is unfortunately in this country very amateurish. Outside of the excellent work done by Professor Stevenson there is nothing published that is of any consequence. The scarcity of material to work upon may account for this neglect. It is to be hoped that this monograph may create an interest in maps both ancient and modern that in time may bring forth results on a par with the research of European scholars.

There are but two important works on the subject of the portolani, namely, Nordenskiöld's *Periplus*, and Kretschmer's *Die Italienischen Portolane*. All other works are merely incidental to the subject, or are special monographs on the various authors. The bibliography attached to this work could have been extended in the latter class to some extent. Bevilacqua, Canova, and Errera have written monographs on Ottomano Freducci; Staglieno on Vesconte de Maggiolo; Errera on Pietro Roselli; Winsor, Wieser, Kretschmer, Magnaghi, Malavialle, Gaffarel, and others, on Battista Agnese; Errera and Enrile on the Olives. All these cartographers have some of their maps described in this work.

The collection is numerically the largest one to be found in any private library. The Library of Congress, with its immense collection, has only three of these charts, the earliest by Cavallini being dated 1640. The earliest chart in the Hispanic Society collection is by Petrus Roselli, of 1468; the next in chronology is that of Vesconte de Maggiolo, 1512. The earliest portolano chart known with date is that of Petrus Vesconte of 1311, the "Carte Pisane" having only a supposed date. These charts do not number over five hundred previous to 1600, and are mostly found in the national libraries and museums of Europe.

The value of a collection of these charts is more or less dependent on their antiquity. The subject-matter, which is principally the Mediterranean and Black seas, has little interest to the American student outside of its importance in the development of the early hydrographical charts. Notwithstanding their number, these first charts seem to have a general prototype, which was corrected and added to until almost perfected. With their beautiful coloring, artistic drawing, and the antique make-up, a collection such as the one here described is of unusual interest.

Nansen in his recent work entitled *In Northern Mists* does not differentiate between the portolano charts and the compass charts. He says: "The remarkable thing is that the first known compass-charts, of the beginning of the fourteenth century, were already of so perfect a form that there was little to add to or improve on them in later time."

Beazley, in an article published in *Nature*, December 15, 1904, calls these portolano charts "the first true maps", and says: "Never better

than in these long-neglected charts does the history of civilization illustrate man's change from empirical to scientific, from traditional book-learning to the investigation of nature."

While it is most difficult to attach dates to these undated charts, Professor Stevenson would have added more value to his description if more positive statements could have been made, as, that a chart was after 1550, or 1560, early sixteenth century, or second half of sixteenth century. An authority on these maps, with some research, could no doubt greatly assist the student by more definite data.

The Hispanic Society can be congratulated on the attractive style in which this work has been introduced to the public.

P. LEE PHILLIPS.

Martin Luther: the Man and his Work. By ARTHUR CUSHMAN MCGIFFERT. (New York: The Century Company. 1911. Pp. xi, 397.)

THIS is a popular biography of Martin Luther written, in its original form, for the pages of the *Century Magazine*. It is strictly speaking a biography and not a *Life and Times of Martin Luther*. The author keeps strictly within the limits of his sub-title *The Man and his Work*. He wrote for the intelligent reader trained neither in history nor theology and he has not encumbered his pages with the reasons for his conclusions, nor darkened his statements of points of controversy by the use of terms remote from common language. But the discerning reader, even though he were ignorant of the name of the writer, would recognize the work of one who, knowing the literature of his subject, had skilfully weighed divergent opinions to produce a simple narrative with learned foundations not protruded on the view.

The book is enriched and made more enjoyable by sixty well-chosen full-page illustrations; thirty authentic portraits of contemporaries, friends or foes, six portraits of Luther himself, and the rest photographs of buildings or places.

The secret of the success of this book can be read in the words of the dedication to the author's wife, "whose insight and human sympathies have helped me to interpret one of the most human of the world's great men". It is because the writer sees this "vein of rich humanity" in Luther that he is not afraid to show him as he was, with all his blatant faults as clear as his great qualities. Mr. McGiffert has too much reverence for his hero to try to conceal anything about him.

Mr. McGiffert is free from the modern pretense of trying to write as if he were a typewriting machine endowed with reasoning faculties, and he has the first qualification for the task of writing in the field of church history—or indeed in the field of sixteenth-century history—a lack of zeal for the defense of any particular ecclesiastical system or organization. Therefore he has given us a sympathetic but not a

partizan life of Luther. No one who did not sympathize with the Christian point of view could understand the fundamental traits of Luther's character as the author does, but no Roman Catholic who knew this book was written by a Protestant, could find in it anything unfair or apt to hurt his feelings.

The reviewer would have liked the book even better if an occasional tag of comment—two or three lines intended to suggest to the reader what he ought to think about the facts just narrated—had been stricken out in the proof-reading, but these little tags of comment, though superfluous, are generally judicious. A good many people might write of Luther's conduct during the Peasants' Revolt out of a mood less inclined to excuse passionate words sure to increase bloodshed than the author; but that is a matter of judgment. On one point, however, there is, to the reviewer's mind, a little unconscious special pleading: in regard to the bigamy of the Landgrave of Hesse. If Philip "duped" (p. 367) Luther, Luther was willing to play a worse trick on the woman in the case. He fell before the temptation Satan put before Christ when he offered Him the kingdoms of the world—the temptation to help a sacred cause to prevail by an act of evil. The stain on Luther's character, of course, lies not in the fact that he once honestly consented to bigamy in a particular instance, but that he lied about it and was willing to deceive a woman who trusted in his judgment.

The style is strong and pleasant; a slight tendency to "preciousness" which shows in the first three chapters fortunately disappears in the rest of the volume.

Every reader will like the book and the trained historian will justify his liking. It is especially good because it shows the continuous play of Luther's humor, for no great man had that softening gift in larger measure. It makes plain Luther's superhuman energy, his limitless courage, the depth and strength of his religious feeling. The reviewer does not know in any language a better and sounder small popular sketch of that man of titanic mold and coarse fibre. To give to those who read only English such a new opportunity to know one of the three greatest men whose interest has centred on the teaching of Christ, is to do a great service for history; for if there ever was a time when those who can interpret the results of historical scholarship to the world were needed, it is now.

PAUL VAN DYKE.

La Révolution. Par LOUIS MADELIN. [L'Histoire de France racontée à Tous.] (Paris: Hachette et Cie. 1911. Pp. vii, 578.)

THIS volume on the Revolution was written for the general reader and is probably the best volume of the kind extant. It covers the period from 1789—the elections to the States General—to 1799, the establishment of the Consulate. These limits were set for it by the fact that it

formed one volume of a series, the preceding volume going to 1789 and the succeeding volume dealing with the Empire. Within these limits, the matter is well distributed, the proportions good, and the parts well bound together. A recent review characterizes the book as "très spirituel" and adds that "les gens du monde, auquel il semble surtout destiné, le liront sans fatigue et avec profit". "Spirituel" it certainly is, at times, it seemed to me, "trop spirituel", losing sight of the fact that the historian should always take his work seriously and that his exposition falls short of the best attainable, if it lacks dignity. It is a "readable" book, but all parts of it will not be "read with profit". Not only does one encounter numerous incorrect statements of details, but the *ensembles* not infrequently fail to reproduce correctly the course of events. There is no cause for surprise in this. The history of the Revolution must still be constructed largely from the sources, very few reliable monographs having yet been written upon it. The latter half of M. Madelin's volume is better than the first half, for there he is on ground made more familiar by his volume on Fouché and his study of the diplomatic relations between France and Pius VI. He has depended largely upon the work of others—not wholly as he states in his preface—and not infrequently he has misplaced his confidence. The confidence in the critical soundness of his work is not increased by his frank confession that his admiration for Taine—after Aulard's destructive criticism—"reste entière". So far as he does use sources, he prefers letters to memoirs. The brief bibliographies at the close of each chapter contain good material, although there are some rather surprising omissions and the form is very bad. It is not to be expected that in a volume for general readers German works—in German—would find a place, but it is to be expected that the historian has read them. Such assumption would not, I am inclined to believe, be true in the case of M. Madelin. Had he read, for example, the monographs of Clapham and Glagau on the origin of the war of 1792, the narrative would have approached much nearer to a true representation of the causes of that war. His treatment of the topic is extremely superficial and cannot possibly convey a correct idea of the situation to the uninitiated. His whole treatment of the period of the Constituent Assembly is unsatisfactory because of his failure to lay due stress upon the work of the reactionary forces. Even when he speaks source in hand, it is well to read the source before accepting his interpretation of it. One of the most astonishing illustrations of his inaccuracy is found (p. 62) in his statement concerning the formation of the citizen guard in Paris in July 1789. "Dès le 25 juin", he writes, "les électeurs de l'Hôtel de Ville avaient décidé de former une milice bourgeoise, la future garde nationale, *non point du tout, comme l'ont cru, cent ans, tant d'historiens et la foule de leurs lecteurs, contre la Cour, mais contre les brigands* [the italics are M. Madelin's] *que—les procès-verbaux des électeurs en font foi—on redoutait avant tout.*" That would seem to be trustworthy, but what

does the *procès-verbal* show? In the first place that nothing of the kind was passed on June 25 and in the second place that the motion made to form a citizen guard proposed simply that the National Assembly be asked to sanction the wish of the electors of Paris "pour rétablir la Garde Bourgeoise" and gave no reason whatever for such action. Other evidence, however, shows conclusively that Paris was arming itself against the anticipated royal *coup d'état*. M. Madelin had Sorel for a master, so he tells us. He inherits the defect of his master; his text is more "spirituel" than exact.

FRED MORROW FLING.

Napoléon I^{er} et le Monopole Universitaire. Par A. AULARD, Professeur à la Faculté des Lettres de l'Université de Paris. (Paris: Armand Colin. 1911. Pp. ix, 385.)

SOME of the expressions in Professor Aulard's preface might arouse the suspicion that this volume, if not suggested by existing problems in France, has probably been at least hastened thereby. Not that it is marked by *parti pris*, for indeed it is notably moderate and judicious. But it is for the most part in advance of M. Aulard's profound and steadily progressing study of the great period of reconstruction, and the author himself would probably be the first to admit (as in many places indeed he does admit) that research in the field has not yet proceeded far enough to make possible a conclusive treatment especially in a volume of this brevity. It is a fair (and discouraging) indication of the condition of the study of Napoleonic institutions that one is led to this conclusion in a field that has probably been more debated than any other except the closely allied one of the Church. And as the explanation lies no doubt in this significant word *debated*, it should be taken as an encouraging circumstance that though M. Aulard has in the past been found not infrequently in the ranks of these debaters, this his latest study shows but slight trace of this attitude.

The author is obliged by the brevity of his work to confine himself to a rather insufficient presentation of the conditions which the Napoleonic educational establishments were designed to amend. The Napoleonic system itself is studied with care, though it would appear (from material in the possession of the reviewer) that on some points (as statistics) a closer examination of the archives would enable more definite statements to be made. So far as general conclusions are presented they may be said to be favorable to the Napoleonic educational policy; M. Aulard announces a revision of his earlier conviction that that policy was reactionary, and he dwells with considerable emphasis on the position that in point of fact there was no "monopole universitaire", since the determination to really apply one was reached by Napoleon only in 1811 and since the application of it was then frustrated by Fontanes. This latter position (as to Fontanes) is of course not

new, as Fontanes and his friends made it their boast during the Restoration; the reviewer will not commit himself on a point he regards as still unsettled, and will confine himself to a regret that M. Aulard's conclusion should rest so largely on the by no means impeccable testimony of Ambroise Rendu.

A more important question is raised by M. Aulard's interpretation of Napoleon's attitude in regard to the participation of the Church in secular education—a question which one would infer from the author's preface he has had peculiarly in mind. The view taken here is that Napoleon intended to employ and did employ the Church in his educational system, and that he did so (turning over religious instruction in the *lycées* to ecclesiastics, and allowing the Church to have its own preparatory schools, classed and supervised as state secondary schools), because he wanted to be in a position to watch and control the Church in the field of education. On the whole this interpretation is not quite satisfying, mainly because it is incomplete. As the policy of the preceding régime is represented by M. Aulard as that of fighting the Church through the school, we feel that there needs first to be discussed the question as to whether Napoleon was in principle favorable to ecclesiastical participation in secular education. His actual measures in favor of such participation do not settle the point; for as the Church had been re-established and thus placed in a position where it would inevitably busy itself more or less with education, and as Napoleon was no doubt convinced that the great majority of parents wanted educational work done by or participated in by the clergy, the question might well have reduced itself to one of expediency. Further, M. Aulard is not sufficiently clear as to whether, assuming the Napoleonic policy to have been simply one of expediency, this policy may not have proceeded with other aims than that of guarding against the inevitable consequences of the existence of the Church. May we not regard it as aiming also to use the Church, through its educational as well as through its religious work, in the fortifying of the new régime? Or may we not conclude that possibly the main thought was to commend the new educational system to the ordinary bourgeois mind by exhibiting the approval and participation of the Church? The first suggestion might indeed be regarded as covered by M. Aulard's assertion that Napoleon "s'intéressait à l'instruction publique comme à une 'source de pouvoir'" (the phrase is from Roederer, who however does not seem to state that Napoleon viewed the field of education *only* in that light). With respect to the other however, M. Aulard's conclusions might I think be supplemented by the idea that Napoleon had as an additional (if not as an only) motive the hope of assuring the success of the new *lycées*. That is, we are not necessarily to suppose that Napoleon regarded the aid of the Church as essential or even as desir-

able in the work of the school, but as under the conditions highly advantageous in giving the school a fair chance to do its work.

VICTOR COFFIN.

Louis-Napoléon Bonaparte et le Ministère Odilon Barrot, 1849. Par ANDRÉ LEBEY. (Paris: Cornély et Cie. 1912. Pp. xii, 719.)

THE history of the Revolution of 1848 and of the Second Republic is being assiduously and profitably investigated at present by a group of scholars who have already produced a number of notable works on important phases or aspects of the period. The Société de l'Histoire de la Révolution de 1848 and its important review, founded a few years ago, serve usefully to promote these investigations. The Second Republic was a highly complex and incomplete experiment and it failed. The reasons for its failure are of interest and instruction to the supporters of the Third Republic which, having definitely established its political régime, is now attempting the solution of pressing social problems, raised but not solved by the Second Republic.

M. Lebey is already known as the author of an elaborate treatise on *Louis-Napoléon et la Révolution de 1848*. The present volume is a portly one, not much smaller than a volume of the *Cambridge Modern History*, and is concerned with the events of a single year, the life and achievements of the Barrot ministry which lasted, with an important change, from December 11, 1848, to October 31, 1849. The book is the result of extensive research and is of absorbing interest, though characterized by some strong judgments and theories which give one pause. The author threads his way through a very tortuous tangle and we follow, seeing clearly. There are eight spacious chapters: on the Agony of the Constituent Assembly, the Début of the Roman Expedition and the Death of the Constituent, on the Reconstruction of the Ministry with the addition of Tocqueville and his friends, a phase which has been vividly but not impartially described by Tocqueville himself in his *Souvenirs*, on the Insurrection of June 13, 1849, on the relations to each other of the President, the Assembly, and Europe, on the letter to Edgar Ney, on the defeat of the parties and of Parliament when Louis Napoleon dismissed his ministry and showed who was leader in France.

It is a detailed and graphic account of the extinction of a republic by those elected to serve the republic. It is of course impossible briefly to present the contents of over seven hundred pages, but this elaborate monograph will be welcome to all students of the period. It is the story of a *révolution manquée*, a veritable year of dupes. If ever men fished in troubled waters they were the President and the various parties in the year 1849.

M. Lebey shows the isolation of Louis Napoleon at the beginning of his presidency. Though borne to power by over five million votes, he knew no single important man who stood for his interests, he had no

friend whom he could properly make a minister. He stood alone, "an immense force in a perfect solitude". On the other hand the Barrot ministry was not primarily a council of advisers but was a board of proctors anxious to hold the President under the strictest surveillance and to teach him constantly the humbleness of his position. The parties in Parliament, in turn, did not give the ministry cordial support, but found it useful as a stop-gap until the restoration of the monarchy could be brought about. And it might have been brought about in 1849, as in 1873, had there been only one royal pretender, instead of two, a Legitimist and an Orleanist. There are, indeed, many striking analogies between the Second Republic and the Third in its earlier and critical years. "It was", says our author, "a republic with the appearance of a monarchy, yet without a monarch, and almost without republicans." The ministry and Parliament wished to make the republic a kind of posthumous July Monarchy. The ministerial programme resembled all the ministerial programmes of the reign of Louis Philippe. The great thought was always the complete destruction of the Revolution, the rapid restoration of "peace and order". It ignored social questions and set up the old familiar *politique des affaires*. We need not be surprised at the reactionary sentiments of the assemblies of 1848 and 1849 when we remember the Constituent of 1871-1875, whence emerged the Third Republic. The democracy, lacking definite self-consciousness in 1849, without leaders and beset with enemies, easily abandoned itself to Caesar. M. Lebey shows at length and in detail how Louis Napoleon gradually freed himself from his enemies and how his dismissal of the Barrot ministry was a double victory over ministers and Parliament and a long stride toward personal authority. By the events of 1848 and 1849 two powers only profited, the nephew of Napoleon and the Roman Catholic Church.

The author has given us an instructive and thoughtful book but he has not given us an index, and, let it be repeated wearily once more in the pages of this REVIEW, this is no venial sin. It is worse than a crime; it is a blunder.

CHARLES DOWNER HAZEN.

The Life of Spencer Compton, Eighth Duke of Devonshire. By BERNARD HOLLAND, C.B. In two volumes. (London, New York, Bombay, and Calcutta: Longmans, Green, and Company. 1911. Pp. xi, 494; vii, 440.)

THE history of England during the last half-century is being rapidly written in a series of biographies of eminent politicians most of whom have left in their letters abundant materials for understanding the relations which existed between the leaders of the great parties and the motives by which they were, or supposed themselves to be, directed in their public action. Similar biographies have, in England as here, long

furnished data all the more valuable in that they represent not what men thought afterwards about their own conduct, but what they wrote or said to one another at the time. What is remarkable in this series of the last fifteen or twenty years is the fact that many of the lives have been published very soon after their subjects had quitted the scene, and that they include not only private letters sometimes written to persons still living, but also confidential Cabinet memoranda, a class of documents which English usage had heretofore held it necessary to keep secret until the dust of many years should have gathered on them. Biographies (some of them autobiographies) of Lord Granville, Lord Selborne, Mr. W. E. Forster, Mr. Parnell, Mr. Gladstone, the Duke of Argyll, Lord Randolph Churchill, Mr. Goschen, Sir S. Northcote, and others have appeared in swift succession. Other biographies of Mr. Bright, Lord Salisbury, Lord Spencer, and Sir William Harcourt may be soon expected. In these there lies a mass of material for the political history of a very stirring and changeful time such as has seldom been at the disposal of students for any other period of equal length in English annals. It deserves to be noted that these books show how much more is needed to explain the causes of events than is contained in parliamentary debates, though the latter have for England an importance relatively greater than belongs to the reports of legislative proceedings in any other country.

The fact that biographies have thus become for England—and the same principle applies to the United States—sources of history no less important than other narratives of events strung upon some other thread than that of one man's career, imposes a responsibility upon the biographer. As he is dealing with historical sources, he must become something more than a friend or admirer setting forth the deeds of his hero. He is really assuming the responsibilities of an historian and is bound to the same sort of detachment and impartiality as befits the writer of history. It is his duty not only to set out letters and other documents fairly and honestly, without suppressions or garblings, but to avoid any such presentation of the events they relate to as will prejudice the reader's mind and convey a partial and imperfect view of the facts. The chief merit of the so-called "scientific school" of history is that it sets itself to ascertain and present events just as they were, and leaves the reader to form his own judgment of men, their characters, their motives, and their conduct, from the facts. Many histories have been written by partizans, and some of these still continue to be read in respect of their literary merits. But so far as they are partizan they are vicious. They want one of the first essentials of good historical writing, and command little confidence. Even if they are not guilty of suppression, we can never trust them as we trust the book written in a detached spirit, with no aim but that of presenting the truth. When comments are constantly introduced placing the facts in a particular light, dwelling on one side of the case and ignoring the other, even the

events and the documents, however fully set out, may be so colored by the atmosphere with which the writer suffuses them as to become misleading. The practised student, who soon detects the bias of an author, and has other sources of information at his command, will not be misled, for he will know how to discount political prepossessions. But the average reader may carry away wrong impressions, and be prevented, just as he is by a partizan history, from grasping the true nature of the situation with which statesmen had to deal and the motives by which they were influenced.

A biographer is perhaps under greater temptations than any one else who undertakes to treat of the past, because he is presumably friendly to the person he writes of. Thus he is tempted to seek to make the best case he can for his subject. Some latitude may accordingly be allowed him when he is found extenuating the faults or extolling the virtues of the hero. But he is bound to the same standard of fairness and justice to other persons, and to the same effort to see events generally in a dry light, as are incumbent on the historian.

In this biography this kind of latitude or indulgence to which we have referred has been much exceeded. If the writer has tried, as we must credit him with having tried, to present the general political situation in England during the Duke of Devonshire's lifetime in a fair and just light, his efforts have not been successful. The facts are all seen in the light of the author's present political views, so that the fruit is not merely partizanship but the unhistorical partizanship of thirty years later than the facts. There is an atmosphere of bias and prepossession all through the book. The bias may, as sometimes happens, be unconscious. Every now and then we come across a passage in which some little attempt is made to appreciate the attitude of those who did not agree with the Duke of Devonshire's views. But the general picture is so far from being fair or just that it becomes necessary to warn American readers against accepting the account of British political controversies here set forth. For English readers no such warning might be needed, because partizanship seems to be now so keen and bitter in that country that every reader is doubtless prepared for it in any book dealing with politics and makes allowance for it accordingly. However both in England and everywhere else the presence of such a marked party bias seriously reduces the value as a contribution to history of this otherwise well-executed work. Its defects are the stranger and the more regrettable because the Duke of Devonshire was not himself of a partizan temper, but appears in these pages as not only cool, just, and reasonable, but even considerate in his dealings with opponents.

As a mere piece of literature, the work deserves no small praise. It is well planned and well composed. Judgment has been shown in the allotment of space to the different periods of the Duke of Devonshire's career. Those periods in which he played a leading and really influential part are treated at full length, while the less important years are

passed lightly over. The style and manner show an experienced hand, and the only serious blemish, besides the regrettable party spirit to which we have referred, is the needless abundance of comment and disquisition. Many of the semi-philosophical speculations in which the author indulges are superfluous and otiose, and though they evidence a reflective mind and a considerable store of knowledge, they are often fanciful and sometimes incorrect. Upon this aspect of the book more might be said, but we are here concerned with it solely as a piece of history and may now pass from it to its subject. The picture which it presents of the Duke of Devonshire is a clear and consistent one, and seems to be also a just one. Nothing more is claimed for him personally than what the general opinion of his contemporaries (of both parties) allowed him, and what his letters and speeches here given prove him to have possessed.

He was a remarkable instance of the presence of great political ability in a mind almost destitute of other intellectual interests. At the University of Cambridge he came out high in the great mathematical examination of his year, but it would appear that he studied the subject only to please his father, who had himself taken high honors in mathematics, and he never returned to it in later life. For no other branch of science, nor for literature, nor for art, did he show the slightest taste. Even what are called "sports", except horse-racing, did not much interest him. In conversation he does not seem to have shone, for he was always slow, though always sensible.

There was observed in him another remarkable though less unusual phenomenon, the presence of a great argumentative power of speaking with a total absence of rhetorical gifts. Never were any speeches more free from embellishments. There were neither imaginative flights nor appeals to emotion. But there was always strong, clear, cogent reasoning. It would be hard to find better models of an effective statement of facts, and effectively put conclusions from facts, than are contained in two speeches in this volume from which copious extracts are given, the speech on the proposed withdrawal of British forces from Kandahar delivered in the House of Commons early in 1881 and that on the first reading of the Home Rule Bill in the House of Commons in April, 1886. In the first of these he was defending the policy of his department (which he had adopted after some hesitation), in the second he was criticizing the policy of Mr. Gladstone. Both rise to a very high level of statesmanlike wisdom and could hardly be surpassed for the force with which every point made is driven home. These speeches, and apparently all his best speeches, were made after he had carefully thought over the subject and prepared himself to deal with it. He was not a great debater, lacking that swiftness of mind which is needed to discern on the spur of the moment the weak point of an argument just advanced by an opponent, and no less needed to invent fresh arguments to replace those of a friend which have just been damaged. He once said himself that it

had been his fate to live all his life with men whose minds moved faster than his own. It was in the power of steady, sustained thinking that his strength lay, and his thought was all the sounder because he had weighed every fact and tested every link in the chain of reasoning.

It was not however merely his intellect, massive as it was, that gave him importance in English politics. The authority enjoyed by men of rank and wealth in England has a double source. On one side it savors of snobbishness, that is to say, it springs from a deference to social position, a desire to bow down to, or at least stand well with, the great ones of the earth. On the other and better side it is due to the feeling that a man of distinguished rank and great wealth is a conspicuous person, who has a good deal to lose by any transgression. Such a one, being held to a high standard of duty and responsible to a watchful public opinion, may, it is believed, be all the better trusted to rise to the standard. This is often but of course not always true. Scions of the oldest families in Rome were, and dukes and dukes' sons in England have been, as tricky and unscrupulous as any obscure plebeian. There is also the feeling that a great noble is under less temptation than a man who has his way to make. Office attracts him less, because he has already so much of the things most men desire.

These considerations (which are no doubt arguments that may be used on behalf of any aristocracy) contributed to give the Duke of Devonshire the exceptional position he held in England. When real mental power is found conjoined with rank and wealth, and when it is recognized that the possessor of all these is also an honest, upright, candid person, one of whom it can be said "you always know where to find him", no wonder he exerts a great influence. There have been several such figures among the leading statesmen of England, in the period covered by this book, but the duke was probably the strongest among them. Everybody felt that he was an honorable and truthful man, a gentleman in the best sense of the word.

The new light which this life sheds upon the history of the time may not be very great, but it is well worth having, for it is thrown upon events of real significance such as the Egyptian difficulties from 1882 to 1885 and the Irish question from 1868 onwards. Even where no quite new facts are disclosed, the inner causes at work in determining the action of the leading figures are elucidated. About that later period from 1886 to 1895 when the duke, having parted from Mr. Gladstone and the Liberals in 1886 over Home Rule, was the head of a separate political section, the Liberal Unionists, and about the still later years after 1895 when he joined the Tory administration which he quitted in 1903 because it was drifting towards a policy of protection and he continued to be a staunch free trader, we are told much less. The events are nearer our own time, so that the biographer may have felt less free to publish documents, or he may have been unconsciously influenced by an

unwillingness to criticize those with whose present political attitude he personally sympathizes.

Readers who gather from the narrative given in the book that the Duke of Devonshire was for thirty years (1875 to 1905) one of the foremost figures among the history-makers of his country may ask what the total result of his action was. Can he be described as an important factor? Did his personality and his opinions make a real difference to the course which events took? That is after all the chief question one has to ask about all statesmen except those whose personality is in itself so interesting that they are remembered not merely by what they did but by what they were.

The Duke of Devonshire was throughout life not a forward-pushing but a restraining force. He did not generate steam but was a brake on the wheel. This was not due to any timidity in his character, for he was a perfectly courageous man. It arose out of the character of his intellect, which was not sanguine or emotional or enthusiastic but sober and cautious. His very slowness of mind made him disposed to move slowly. He did not easily shake himself clear from views of policy he had once imbibed, and when he had to weigh the risks of a change against its possible or probable gains, he preferred to bear the evils that he knew. He was often wrong, that is to say, events proved that the course he preferred was a course which could not have succeeded. This was conspicuously true, though his biographer tries to shut his eyes to the fact, of the line of action he took on the so-called Eastern Question in 1876-1880.

The considerations that determined his mind and action were never unsubstantial, never irrelevant, and though his judgment was of course more or less affected by his position as a great landowner, he did not allow self-interest to deflect him from the path of public duty and from his judgment of the public benefit. The criticism to be passed on him would seem to be that he did not duly apprehend either the need which sometimes arises for taking the risks of a new departure just because the existing situation involves even greater risks, or in respect of the danger that when a long-delayed change comes it may come in a more violent form. In this respect his temperament was unlike that of Mr. Gladstone, with whom it was his fate to be so long mated. Their merits and defects were complementary to one another; and the reader who follows their relations as set forth here will regret that they had to part, for each was valuable to the other, and each suffered from the severance. This brings us back to the question of the actual effect of the Duke of Devonshire on English politics. He disapproved the attitude of Mr. Gladstone and a large section of the Liberal party at the time when the Eastern Question was acute (1876 to 1880) but his disapproval made no material difference. He had sore misgivings over the Irish Land Bill of 1881, but yielded to what seemed the necessities of the case. He did not like the extension of the suffrage in counties in 1884-1885, but was dragged along and ac-

quiesced. But in 1886 he absolutely refused to follow Mr. Gladstone in the adoption of a Home Rule policy; and on this occasion his attitude proved to be of capital importance, for he carried with him a number of followers in the House of Commons sufficient to defeat the bill brought in by Mr. Gladstone's government in that year, and a sufficient number of followers in the country to make the defeat of Home Rule at the ensuing election practically decisive and to seat a Tory administration in power. This was his chief achievement, a negative achievement, but far reaching in its consequences. His later action when he was a member of the Salisbury government from 1895 to 1901 and of the Balfour government from 1901 to 1903 was, so far as we can gather from these pages (for the story is not very fully told), much less important. His former Liberal allies seem to have hoped that he would have exerted himself to avert the South African War which broke out in 1899, and have either arrested or modified the Education Bill of 1902 which roused so much passionate feeling in England, seeing that he was in both years a member of the Cabinet. It is possible that, though he never became a Tory, he shared the views of his colleagues. It is also possible that he was growing old and more or less sluggish and not inclined to fight for his own views with the firmness of earlier years. Anyhow his presence in the Cabinet would seem to have made no difference. To have defeated Home Rule, or at least delayed it, since it still holds its place on the programme of the English Liberal party, was the chief tangible result of his career. It was a long and honorable career and one characteristic of England, for he was (with the exception of the late Lord Spencer) the last of that remarkable group of Whig statesmen who played, from the Revolution of 1688 onward, so prominent a part in English history. The house of Cavendish was even in 1688 the greatest of the Whig houses, and continued to be so until, like nearly all the others, it was absorbed into the opposite party in that complete transformation of political conditions which has come upon England since the extension of the parliamentary franchise in 1867.

BOOKS OF AMERICAN HISTORY

Histoire Critique de la Grande Entreprise de Christophe Colomb.

Par HENRY VIGNAUD, Conseiller Honoraire de l'Ambassade Américaine, Président de la Société des Américanistes. In two volumes. Tome premier, 1476-1490; tome deuxième, 1491-1493. (Paris: H. Welter. 1911. Pp. xxxiii, 730; xix, 703.)

A CRITICAL investigation of the life and achievements of Christopher Columbus has occupied M. Vignaud for many years, and among students who have busied themselves with a search for the truth concerning the great discoverer he to-day holds a foremost place. The results of his studies he has published from time to time in such volumes as

Toscanelli and Columbus, Études Critiques sur la Vie de Colomb avant ses Découvertes, A Critical Study of the Various Dates assigned to the Birth of Columbus, all of which have been extensively noticed in the REVIEW. In these final monumental volumes he restates his conclusions, as they appeared in the above mentioned works, relative to the numerous details which enter into and make up the complete story of the "Grande Entreprise", adding the rich results of a careful consideration of old material and of a study of the newer material as it has come to light in recent years.

It is a merited commendation to state that M. Vignaud has given us in this his last work the most valuable contribution ever published on the Columbus problem. Much that he has advanced, through his keen analysis of the facts as they are known, has seemed not a little startling, and many of his critics of the older school have charged him with being a detractor who would take from Columbus the high honor with which the centuries have crowned him. Not so. M. Vignaud is not an iconoclast except of opinions which do not have a well-attested foundation. He finds, for instance, that it is vastly more creditable to Columbus to have discovered the New World, as he did, in looking for it—for his expedition was organized to find new lands, a fact which cannot now be controverted by any known document—than by having found it merely accidentally in endeavoring to do what was then an impossible thing, that is, to find the Indies of the East by sailing westward. It is not difficult to follow his arguments as they are advanced in his several publications, especially in view of the fact that we find an occasional summary of these arguments added. It may here be observed that by reason of his logical presentation, and his excellent style, with every positive statement supported, his volumes are intensely interesting.

While space will not permit a detailed reference to his several theses, most of which may be found recapitulated by Professor Bourne in his review of the volume on *Toscanelli and Columbus* (AMERICAN HISTORICAL REVIEW, VIII. 341-346), mention should here be made of the more important ones, of those upon which in particular he has shed new light, through his critical studies.

He finds, for instance, that Columbus neither belonged to the nobility nor to a family of sailors, that he was not related to the admirals Columbo, nor had he ever received university instruction, that he arrived at Lisbon by mere accident, and had no idea then of undertaking discoveries. Unless other evidence becomes known than that which we now possess, M. Vignaud can be said to have disposed of the Toscanelli letter and map which have had so prominent a place in the history of the Columbus discoveries. They have done service in support of the theory that Columbus started out on his great expedition to find the Indies by sailing westward, whereas there is not a single indubitable evidence that such an idea was in his mind before sailing. His object was to find lands or islands concerning which he had gathered

information considered by himself as absolutely sure, and it was for such discovery he bargained with the king and queen. M. Vignaud's position here seems clear and unassailable. He opposes the idea that the Portuguese before 1474 were interested in searching for a waterway to the East Indies, and he could have strengthened his position by a more extensive reference to the maps. These certainly support his interpretation of the words "*Oceanum mare versus meridionales et orientales plagas*" in the Bull of 1454, the reference being to the coast region of Guinea which trends southward and eastward as he states, and not to the south and east of Africa, as others have interpreted the passage.

If Columbus did not have in view, on leaving Palos, a voyage westward to India, neither did his seamen. The Journal of Columbus, as M. Vignaud notes, discloses the fact that Columbus and all his companions had only in view the discovery of islands searched for, on which point he gives us an interesting chapter (II. 173 *seq.*). In explanation of Columbus's belief that he had reached the East Indies we find the plausible suggestion that having reached the Antilles, which were far beyond the position in which he expected to find the islands for which he went in search, he imagined that he was in the Indies and not far from Cathay.

In his chapter on *Témoignage des Contemporains* (II. 287 *seq.*), a long line of witnesses is cited in support of the statement that it was the object of Columbus to make new discoveries, and no one of those witnesses, except Fernando Columbus and Las Casas, whose information came from Columbus himself, mentions the supposed intention of reaching the Eastern Indies by way of the west. It is the contention of M. Vignaud that not until his return from his transatlantic discoveries did he apply himself to a search for a support of his illusion, and that his cosmographic theories are in origin subsequent to his discoveries, and do not antedate them.

In addition to his main points, to the more important of which allusion has been made, we find certain new facts disclosed or old ones placed in better light, including a list of the companions of Columbus comprising names not before mentioned, the statement of the son regarding Española (II. 193), a consideration of the important part taken by Pinzon in the discovery, and a careful study of the *Pleitos* of Columbus, a source of information which he notes has been generally neglected. While the point has not been overlooked in his studies, it would have given added weight to his arguments had there been a more extended treatment of the gradual expansion of geographical knowledge southward and westward, and of the fact that Columbus became one of a long line of named and unnamed explorers with perhaps a stronger conviction, and one well founded, that success would attend his efforts, as it did, and in measure vastly greater than he anticipated.

M. Vignaud has assuredly given us a history of the early life of Columbus and of the causes which led to the discovery of America far

different from the one based on the Columbian tradition which has been so generally accepted.

E. L. STEVENSON.

Studies Military and Diplomatic. By CHARLES FRANCIS ADAMS.
(New York: The Macmillan Company. 1911. Pp. v, 424.)

IN this volume of pungent and suggestive essays and addresses Mr. Adams continues his studies on the military history of the United States and upon the diplomatic features of the Civil War with which his father was connected as minister to England. The unifying idea which runs through all the papers, military or diplomatic, upon the Civil War, is that the outcome was really decided not by the Northern armies but by the pressure of the blockade and that the decision by the English not to intervene for the purpose of opening the Southern ports was the one point on which the result of the whole struggle depended. Probably Mr. Adams does not literally mean all that his words apparently say. It is a certain vivacity of expression characteristic of his inheritance which leads him to maintain in one place that a woman, Mrs. Stowe, really decided the Civil War through the effect of her *Uncle Tom's Cabin* upon English lower middle-class sentiment; and in another place to ascribe the same outcome to the individual preference of Palmerston for giving a rebuke to Gladstone rather than seeming to follow his lead in recognizing Confederate independence. It is noteworthy, however, that in all his observations on the military events, Mr. Adams pays little attention to the progress of the western campaigns, which like a great turning movement finally swept the armies of the Confederacy back to the Atlantic seaboard, and concentrates his interest on the fortunes of the Virginia contest. One gets the impression that the Civil War with which Mr. Adams is concerned is the one which was visible, as it were, from England. While no civilian student of the period can afford to neglect the important critique of Rhodes's *History of the United States* entitled *Some Phases of the Civil War*, he will be conscious in reading it that he is dealing with what may fairly be called an Adams Family view of the situation. The most valuable part of the book without doubt is to be found in the four papers on the American Revolution. Here Mr. Adams turns his powers of keen and fearless analysis upon a field which has hitherto been left, so far as American writers are concerned, to the unaided powers of civilians, for whose judgments Mr. Adams has an unbounded and freely-expressed contempt. Here too a central idea serves to unify the papers on Long Island, Washington and Cavalry, and The Revolutionary Campaign of 1777—the thesis that George Washington not only was not a military genius but was a positively bad general who was saved from the ruin which on military grounds he deserved, solely through the incompetence of Sir William Howe. With almost redundant detail Mr. Adams establishes that the attempted defense of

Long Island was an act of military folly and that the effort, by fighting, to keep Howe out of Philadelphia was as foolhardy as it was unnecessary. The illuminating criticism with which Mr. Adams dissects the campaigns of 1775, 1776, and 1777 makes his work a most welcome contribution to the proper understanding of these years. Every student of American history must feel gratitude for these papers and regret that the author did not deal with the later campaigns in the same way, the more especially since in 1781 he admits that the same Washington who heaped blunder on blunder in 1777, "carried out with prescience, judgment, skill and energy", a plan that was "boldly as well as brilliantly conceived". One need not be under the sway of the Washington myth, to suspect that the quality of the troops and the fullness of the other means at his disposal had rather more to do than Mr. Adams seems to imply with the failures of 1776 and 1777 and the success of 1781. It may even be doubted whether Napoleon, Frederick, or Wellington could have accomplished a great deal more than Washington did with such troops as he commanded in New York and Pennsylvania, even although we may fully agree with Mr. Adams that they would have made none of the blunders he so relentlessly points out.

THEODORE CLARKE SMITH.

Social Forces in American History. By A. M. SIMONS. (New York: The Macmillan Company. 1911. Pp. ix, 325.)

THIS book was evidently written to illustrate a theory. The theory is Marx's economic interpretation of history, with its social class struggle, the rise of capitalism, the creation of a proletariat, and the inevitable social revolution. The author has examined American history with a view to ascertaining how far it can be made to fit into this theory. His aim is to discover those "social forces" which, according to his theory, are the fundamental factors in social evolution. Naturally he finds what he is looking for. Behind every great event in our history stalks the capitalist in some of his many guises, always seeking to gain some advantage for his class, and to exploit the masses. Everywhere appear contending social classes with their separate material interests and developing "class consciousness", each struggling to control the government and make use of its powers to gain some economic advantage. The Causes of Colonization are found in the social upheaval in Europe incident to the rule of the merchant class, which "was the first division of the capitalist army". "As fast as the merchant or manufacturing class obtained power, its members set about divorcing the former serfs and peasants from the soil . . . in order that the workers might be 'free' to hunt for employers. So it was that the people were being driven out of their ancient homes" to the colonies. The Revolution is explained in the same way. "It was, in reality, but one battle of a great world-wide struggle between contending social classes." "At

every point the industrial life of the colonies had reached the stage where it was hampered and restricted by its connection with England. Large classes of the population required an independent government to further their interests. . . . In these great basic facts and fundamental conflicts of interest do we find the causes of the Revolution, and not in petty quarrels over insignificant taxes and abstract principles of politics." The group of political changes after the Revolution which resulted in the adoption of the Constitution was an event of the same character, and grew out of the same kind of situation. The men whose special class interests had demanded and secured separation from England found that they needed a stronger government to secure and promote those interests. "To collect debts, public and private, to levy a tariff for the benefit of infant industries, to protect the fisheries and pay bounties to the fishers, to assist the Southern planter in marketing his crops, and to secure commercial treaties and guard commercial interests in all parts of the world a centralized government was needed. Those who desired such a government were, numerically speaking, an insignificant minority of the population, but, once more, they were the class whose interests were bound up with progress toward a higher social stage." "The wage working, farming and debtor class naturally had no desire for a strong government. These desired above all relief from the crushing burden of debt", and sought it in "new issues of paper money, stay laws and restrictions on the powers of the courts". "They were an overwhelming majority, but they lacked cohesion, collective energy, and intelligence,—in short, class consciousness." "The little group of individuals who best represented the ruling class, and who dominated throughout the Revolution, were to a large extent losing control. They now set about recapturing it through a secret counter revolution." Thus the Constitution is declared to have been "called into existence through a conspiratory trick, and was forced upon a disfranchised people, by means of a dishonest apportionment, in order that the interests of a small body of wealthy rulers might be saved". In the true spirit of "scientific socialism" we are told that this "should not blind us to the fact that this small ruling class really represented progress", since a unified government was essential to the industrial and social growth of this country.

These examples are sufficient to show the general tone of the book. The other great events in our history are dealt with in the same manner. There are chapters on the Rule of Commerce and Finance, the Rule of Plantation and Frontier, the Westward March of the People, the Birth of the Factory System, the Condition of the Workers, the Youth of Capitalism, the Crisis of the Chattel Slave System, and finally the Triumph and Decadence of Capitalism. Everywhere the same influences are at work and the same class struggle is to be discerned. It is impossible here to find space to criticize any of these views in detail and show wherein they fail to explain the events to which they are applied.

Moreover it is unnecessary to do this for professional students of history. To work out the causal connection between events is the most difficult, as well as the most important part of the work of the historian, and no one who has attempted to do it is likely to have much faith in such generalizations as form the fundamental ideas of this book. As a socialist *tour de force* it has interest. The author has certainly taken pains to inform himself concerning the facts of American history. He has read with care most of the standard authorities and the monographic literature, and has dipped into the original material to a considerable extent. He has shown skill too in marshalling his facts so as to illustrate his theory. Those who already have faith in this theory and those who are concerned to combat it will no doubt read the book with interest if not with profit. But as a serious attempt to deal with history in a scientific spirit, to really do what the title implies, discover those influences which have worked beneath the surface to mould our social evolution and determine the events of our history, it can hardly be said to have any value at all.

GUY S. CALLENDER.

A History of the American Bar. By CHARLES WARREN of the Boston Bar. (Boston: Little, Brown, and Company. 1911. Pp. xii, 586.)

THIS is a book of great value to all scholars of American jurisprudence and to all practitioners who are interested in their profession. As described by the author in his preface, it is an historical sketch rather than a history. It seems to be an enlargement of parts of an address at some law school anniversary and, as is not unusual in such a case, features are left in the arrangement which are more appropriate to the original draft than to the present form. A number of quotations from earlier authorities in support of propositions are left in the text, instead of having been transferred to the notes. This is also the case with a number of illustrations not of sufficient interest to fatigue the attention of a casual reader, for which the notes are the proper place. These are not uncommon blemishes in the literary productions of a brief-maker. The greater part of chapters I. and VII. and other matter concerning the history of the bar in England, although suitable for such a discourse, seem to have no proper place in this history.

The most useful parts of the publication are, the catalogue of the leading members of the bar from the earliest colonial times to 1860, with the dates of their births and the official positions that they occupied; the enumeration of the leading text-books by American lawyers, with the dates of publication, which, we believe, have never previously been collected; the bibliographies attached to the chapters describing the bars of the colonies and of the states during the first quarter of a century since the Declaration of Independence; and the history of the origin

and development of several legal principles, such as the doctrine that a man cannot recover from his master damages for the negligence of fellow-servants, the law regulating the rights and liabilities of railroads and other corporations, the enlargement of the rights of married women, codification and other forms of procedure. The omission of the dates of the lawyers' deaths, although an economy of labor for the author, will exasperate many a reader. The bibliographies are by no means complete. In his discussion of the first lawyer who practised in New England, Thomas Lechford, the author says: "Little is known of him" (p. 68). Mr. Warren apparently has acquired his information second-hand from Governor Washburn and other Massachusetts writers of the nineteenth century and seems not to have heard of Lechford's *Note Book*, published by the American Antiquarian Society in 1893 with a sketch of the writer's life, by J. Hammond Trumbull, and annotations, many of them written by Judge Dwight Foster. We possess more full information as to Lechford's doings—even of his income, which was largely from sixpenny fees—than of the professional experience of any other colonial lawyer, and the books that he published in England after his banishment are still consulted by students of the history of New England. Although one note (p. 250) contains a quotation from that delightful book, Wharton's *American State Trials*, there is no mention of his series of short biographies of the leading members of the bar of the capital of Pennsylvania, where the phrase "Sharper than a Philadelphia lawyer" originated. Each of these was drafted by a descendant of one of these brilliant contemporaries and each, when furnished to Dr. Wharton, who told the story to the reviewer, piously ended with the statement, "He was the acknowledged leader of the bar in his time." While Dane's *Abridgment* and his work upon the Statutes of Massachusetts are mentioned, the reader is not informed of his part in framing the Northwestern Ordinance. Shirley's *Dartmouth College Case* is not mentioned. The story of the embracery of the Supreme Court and of the part of Webster's argument which is said to have been omitted from the report, is taken from the life of Webster, by Senator Lodge, who acknowledged his indebtedness for this to the book of John M. Shirley. There are a few misprints (*e. g.*, 14, 312, 315, 493). The index, although good and highly useful, is not complete in its references to the pages where the different names are mentioned.

The most exhaustive part of Mr. Warren's work is displayed in the discussion of the colonial bar and of the lawyers who reached eminence before 1830. This abounds in interesting anecdotes. In the history of later times, he seems to have been overwhelmed by the abundance of his material, and he omits descriptions of the characters, appearance, and manners of the leading lawyers during the middle of the nineteenth century, as well as the numerous stories about them and their sayings, which have been preserved by tradition and will soon be lost unless

recorded in a permanent form. Although the reminiscences of Jeremiah Mason are often quoted, none of his sarcasms are recorded. The brief reference to John Van Buren does not disclose to the reader that he was the most famous wit that has ever practised at the New York bar, nor his nick-name of "Prince", nor even that he was the son of a President. No one would suspect from reading the book that Charles O'Connor is still considered by the laity to be the greatest lawyer that New York has ever seen. The DeForest Divorce Case—as famous in its day as were later *Tilton v. Beecher* or *The People v. Harry Thaw*—is not even mentioned. There is no reference to the exuberant Latin quotations, the wit or the erratic habits of Rufus Choate.

There is still a void to be filled by the man who can write a book which will take a place in the legal literature of the United States like that held by Campbell's *Lives* in England. That others can do similar work has been proved by Mr. J. B. Atlay in his *Lives of the Victorian Chancellors*. That Mr. Warren can do the same seems probable from his description of the colonial bar. Should he rewrite and expand his work by adding another volume and eliminating the present superfluities, he will put the profession under great obligations to his pen.

ROGER FOSTER.

The Quakers in the American Colonies. By RUFUS M. JONES, M.A., D.Litt., Professor of Philosophy, Haverford College, assisted by ISAAC SHARPLESS, D.Sc., President of Haverford College, and AMELIA M. GUMMERE. (New York: The Macmillan Company. 1911. Pp. xxxii, 603.)

ALTHOUGH ordinarily Friends have had little concern for history, properly so called, perhaps because, in accordance with their religious belief, zeal for universal principles has been greater than interest in historical facts, they have made large contributions to the literary sources of history. Journals and memoirs of itinerant preachers, papers and testimonies given out against particular persons and sins, letters from one meeting to another of like or unlike degree, and the records of the various meetings—all these constitute a rich body of material for a diligent student, provided he be sufficiently sympathetic with the thought and language of Friends to read understandingly. Not only must he know the meaning which certain technical expressions had in the minds of those who used them, but he must also view the actions of Friends in the light of their creative principle, remembering, as Dr. Jones well says, that "There are persons, or at least there once were, who find all their life-values altered and all their utilitarian calculations shifted by an inner impulsion which says irresistibly, 'thou must!'" (p. 80). An objective survey of facts must be accompanied by a subjective appreciation of meaning and values. This qualification Dr. Jones, himself a

Friend, has to an eminent degree, telling the story of persecution dispassionately, with only an occasional word or phrase which reveals sympathy with his evil-entreated brethren according to the Spirit, and at the same time making perfectly clear on both Puritan and Quaker side the psychology of events. Moreover Dr. Jones seems more just in his appraisal of the influence of the Friends upon American life than Dr. Sharpless, who in his admirable chapters upon The Friends in Pennsylvania appears to regard an anticipation by the Friends of ideas now generally accepted as evidence of a direct contribution towards their development (pp. 463 *et seq.*).

Much attention is properly given to a predisposition in New England towards the principles of the Friends which helps to explain at once the popular sympathy with them and the persecuting ardor of the magistrates and the ministers. The contrast between Puritan and Quaker is manifest: the former, holding to a fixed and final revelation in Scripture valid for political as well as for religious life; the latter, acknowledging the Bible but insisting upon the Spirit which produced it as the true interpreter and also as an abiding source of continuing revelation. Naturally, therefore, the Quaker seemed to the Puritan a subverter of the foundation upon which rested both Church and State. Nevertheless, at the very heart of Puritanism, just because of its Calvinistic theology, lay a feeling for mysticism, which found clearer expression among the Separatists, making both them, and to a less degree the Puritan also, susceptible to mystical approaches. The teaching of Anne Hutchinson was but an exaggeration of this mystical element in the Calvinism which her opponents professed but did not fully appreciate. Roger Williams was nothing of a mystic but he stood for spiritual freedom without State interference and therefore brought within the sphere of his influence free-seeking persons whose hearts were congenial soil for the Quaker seed. That Anne Hutchinson and Roger Williams had so large a popular following showed a preparation for the doctrine of the Friends which necessarily put officials in Church and State on their guard. The Puritans had abolished many particular religious forms and ceremonies because they were not commanded by the Bible but they adhered all the more stoutly to such as they retained, thus maintaining firmly the principle of outwardness in religion, but the Quakers, committing themselves fully to the opposite principle of inwardness, went farther than the Puritans and swept away all externality as inimical to the Spirit. Yet, the Puritan theology harbored the Spirit which came out clearly in the Quakers, as it had already showed itself in Anne Hutchinson, hence there was popular sympathy with their teachings which was ominous for the established order. Hallowell recognized this in his *Quaker Invasion* and Dr. Jones has enlarged upon the idea giving abundant evidence of the strength of the pre-Quaker movement.

Dr. Jones also offers an explanation of what he concedes to be an

evident fact, that the Friends have failed to fulfil their early promise of becoming a notable and permanent influence in American life. One fundamental difference among mystics, all of whom accept an inner, individual experience as divinely authoritative, is in the attitude taken towards nature and society. Some perceive that as the Spirit is in them, so is it also in other men, in society at large, and in the processes of nature, but the ever-present temptation is for the mystic to turn away from these larger revelations and act as if in his own breast alone the Spirit dwelt. That the Friends fell into this error, Dr. Jones shows with perfect clearness. When the pressure of persecution was removed, the Friends accepted for themselves more and more the rôle of a "peculiar people" bearing testimony to their distinctive principles. As Dr. Jones says, there were some among them who in order to put their ideals into practice were willing to work them gradually, as occasion permitted, into existing usages and practices, but the greater number, scorning such treacherous time-serving, withdrew from political life in order to keep their ideals unspotted from the world. It is suggested that by virtue of this withdrawal the Friends were freer to lead in moral reforms, and indeed as one reads the record he is inclined to sympathize with the view that perhaps the inflexible idealist is as useful in social progress as the more pliable actualist who is willing to move forward by compromises, but if the Friends had recognized what indeed is inherent in their principle, that the same Spirit living in them was living also in society, slowly working there towards the ideals which it inspired in them, it would have been more natural to co-operate with their fellows and less easy to accept the position of a "peculiar people".

To the same cause must be attributed a part at least of the Friends' neglect of education. If the inner light is not only in one or another individual, but is inherent also in nature and society, then education which opens up the processes of nature and puts one into the current of contemporary thinking must be approved, but if the inner light is unrelated to the rational powers and exists within the individual as an independent source of truth, what need is there of education? Why trifle with books when within dwells the infallible Christ in whom are hid all the treasures of wisdom and knowledge? Even where so extreme a view was not held, its influence appears in zeal for a "guarded education". To these two causes then, willingness to settle into the position of a peculiar people and neglect of education, both of which are traceable to a certain type of mysticism which the majority of Friends unhappily accepted, Dr. Jones traces their failure to accomplish all that might have been rightfully expected of them in American life.

The most illuminating portion of the book, however, which no one but a Friend could have written, relates to the new type of social religion exemplified by the Friends. Tendencies just referred to, and the character of mysticism in general, lead us to think of the Friends

as thoroughly individualistic in religion and accordingly the stock question is, how mystics in general and Quakers in particular can have escaped pure subjectivity—must they not have mistaken their own fantastic whims and impulses for accents of the Holy Ghost, and does not history make it plain that they did? In answer to this Dr. Jones calls attention to the remarkable organizing power of Fox and to the influence of the “meeting” upon its individual members, restraining eccentricities and producing a common type. “The meeting was thus not a place for venting individual whim and personal caprice. It was the time when many individuals were merged and baptized into a living group, with a common consciousness of a divine Presence, and the utterances which were given were expected to be ‘in the common life’” (p. 138): “From first to last *the group was the unit*, and the individual found his life and his leading in the Life and Light of the formative spiritual group” (p. 141). In addition, thanks to frequent intercommunication by letters and visiting preachers, all the meetings were bound together nearly as closely as the several members in every single meeting and in this larger union of Friends, especially as they grew to be a “peculiar people”, individual eccentricities were balanced and local oscillations of thought and sentiment composed into equilibrium. This had great advantages; *e. g.*, when John Woolman began his testimony against slavery he was but formulating a hitherto vague sentiment among Friends in general and hence was able to carry them on with him; but it had equal disadvantages, for it made inevitable the fixity of type which is adverse to the spirit of Quakerism, especially when it relates to such externalities as dress, language, and manners. In this idea of the meeting as the unit, Dr. Jones gives a most important key to an understanding of the later history of Quakerism.

When a book is so good as this is, it seems ungracious to criticize but one cannot help wishing that it were wholly the product of a single writer, for although the collaborators have worked in the harmony of the spirit, as Friends should, and the level of excellence is well maintained, the geographical distribution interferes with a comprehensive presentation of particular topics. The philanthropic and political activities of Friends are separately treated in the several portions and the synthesis has to be made by the reader with no inconsiderable effort, notwithstanding the aid of a good index.

W. W. FENN.

The Revolutionary War and the Military Policy of the United States. By FRANCIS VINTON GREENE. (New York: Charles Scribner's Sons. 1911. Pp. xxi, 350.)

THE author of this book proposes to write a history of the military operations of the American army, and “to present, within the limited space of three small volumes, the essential facts in our military history,

and to make such analyses of these facts and such comments upon them as may be useful for the future and interesting for the present" (p. vii). Only the first volume of the series is now published; and a small part of this is devoted to the military policy of the United States and the conquest of yellow fever in Cuba.

So much has been written on the operations of the Revolutionary army that a new work on that subject inevitably invites a comparison with the books in the same field that have preceded it. In comparing General Greene's volume with its predecessors one is impressed rather more by resemblances than by differences. The subject is so hackneyed that an author who does not use new sources of information, nor take a new point of view, nor analyze the old facts with greater acumen, nor bring to his task superior literary qualifications, is unlikely to make a contribution to the history of the Revolutionary War that is of importance to the special student. He may however, as has General Greene, produce a work that is of interest to teachers and the general reader and that supplies a real need. The chief merits of the book under review are its compactness, its excision of all extraneous information, and its plain and clear statement of the essential facts of the war.

The published list of authorities (pp. xix-xxi) shows a wide, though by no means exhaustive, reading of the sources of information. The author is inclined to overestimate the value of the books that he uses. Whether the nineteen memoirs mentioned on page xix "contain probably every original fact and figure which is known concerning the respective events of which they treat" is doubtful. Sparks's *Writings of Washington* might well have been supplemented by Ford's volumes on the same subject. Winsor's *Narrative and Critical History* is not listed. McCrady's *South Carolina in the Revolution* should have been read for its presentation of an adverse view of the operations in the South of General Nathanael Greene, if for no other reason. The military essays of Mr. Charles Francis Adams might have served to tone down some of the author's estimates of Revolutionary worthies. The book is admirable for its full citation of authorities, and it is well supplied with maps, all of which, with one exception, are derived from Avery's *History of the United States*.

The author confesses that he has been influenced by the "simple, clear style and accurate thinking of the late John Fiske, and also in a minor degree by the brilliant, sympathetic and attractive history of Sir George Otto Trevelyan" (p. ix). Occasionally he expresses himself somewhat loosely and carelessly, though always clearly. While generally taking pains to guard against bias, he at times reveals that his sympathies are with his countrymen. He says that the Continental soldiers of 1775-1776 were "animated with a fiery passion for liberty, a profound belief in the righteousness of their cause and a firm determination to redress their grievances at any sacrifice" (p. 21), and he states that "Howe never recovered from the mental paralysis which

he received at Bunker Hill" (p. 80). This manner of writing history has pretty much gone out of fashion.

A few misspelled words were noted—among others, Esek (p. 33), Abercrombie (p. 102), Baum (p. 110), Nichols (p. 113), and Mecklenburg (p. 224). The misstatements of fact are not many. A board of war was not appointed until June, 1776 (p. 13). It is hardly accurate to say that Arnold's duel was in resentment of insults of officers of the British army, since he fought the Earl of Lauderdale on account of certain remarks made by that nobleman in the House of Lords (p. 170). Sumter did not get on well with Greene (p. 222, see McCrady's *History of South Carolina in the Revolution, 1780-1783*, p. 202, *et seq.*). Nearly all statistics respecting the number of soldiers in the Revolutionary army are misleading, and some of those of General Greene are not exceptions to the rule (pp. 290-291).

The author's high estimate of Washington's military ability is one of the original features of the book. He calls the surprise at Trenton "a supreme effort of genius and daring" (p. 62). Washington's exposure of himself at Stony Creek to the bullets of the enemy is "on a par with that of Napoleon at Lodi and Skobelev at Plevna" (p. 73). The march to Virginia in 1781 is "comparable with Napoleon's famous campaign of 1805" (p. 272). Washington's four principal achievements are considered "Napoleonic". In each of them he exhibited extraordinary "daring, celerity and skill, the three qualities to which both Caesar and Napoleon owed their classic triumphs" (p. 280). If one places alongside of these words those of Fortescue to the effect that it is doubtful whether Washington has "any claim to be regarded as a really great commander in the field" (*History of the British Army*, III. 403), the varying judgments of military critics become painfully obvious.

Notwithstanding the vast amount of material respecting the Revolution that has been published, there is greatly needed a history of the Continental army written from the point of view of organization and administration. Such a book would prepare the way for a more critical and scientific study of the tactics and strategy of the war than has yet been made. Some fundamental matters still need clearing up—among others, the size of the Continental army and of its several parts, the relative services of Continental and state troops, the use made of cavalry, Washington's military ability, and the effectiveness of the staff departments.

C. O. PAULLIN.

The Life of Andrew Jackson. By JOHN SPENCER BASSETT, Ph.D., Professor of History, Smith College. In two volumes. (New York: Doubleday, Page, and Company. 1911. Pp. xiii, 371; 375-766.)

PROFESSOR BASSETT is the first biographer of Jackson who has apparently sought to base his narrative primarily, and indeed almost exclusively, upon manuscript sources. I say "almost exclusively" because, while he frankly relies, as need may be, upon such special studies as Fish's *Civil Service and the Patronage* or Catterall's *Second Bank of the United States*, and of course cites the well-known collections of documents, debates, and presidential messages, his references to the manuscript material so far outnumber all others as to lead to the conclusion that it is manuscript, and not printed, authority or opinion that he wishes chiefly to exhibit. Of the manuscript materials, the first in extent and importance are, naturally, the Jackson and Van Buren papers in the Library of Congress; but a few other fields of lesser extent, such as the letters of Jackson to W. B. Lewis in the Ford collection in the New York Public Library, together with some papers still in private hands, have been industriously searched. To these unprinted sources are to be added the Gaines papers, published in the Nashville *Tennessean* in April, 1909, and a small collection owned by the Tennessee Historical Society, and listed, and in part published, in the *American Magazine of History*.

Of the Jackson collection in the Library of Congress, quite the larger portion relates to the period before Jackson's presidency; and to this period Professor Bassett devotes the first of his two volumes. The proportion is more even than that of Parton, who does not get to 1828 until he is a quarter of the way into his third volume; but considering the epoch-making significance of the Jacksonian period in American history, one cannot but feel that the incidents of these earlier years have been over-elaborated. What is done, however, is exceedingly well done. From the standpoint of national politics the events of first-rate importance here are the battle of New Orleans, the conduct of Jackson in Florida, and the election of 1824-1825. Of the first two of these episodes, and, with a qualification to be noted later, of the third also, Professor Bassett gives admirable accounts: the best, I venture to think, in detail, proportion, and discriminating use of material, that has yet been given. The minute narrative of the operations at New Orleans is a particularly successful piece of military description. An equally discriminating examination is made of the famous controversy between Jackson and Monroe over the Rhea letter; and Professor Bassett, who inclines to accept Monroe's version rather than Jackson's, offers a conjectural explanation of the discrepancy between the statements of the two men which has the merit of exonerating both from the suspicion of falsehood. The passage (I. 249, note) is, unfortunately, too long to

quote. On the other hand, Monroe's lack of candor, to put it mildly, in allowing Jackson to believe that Calhoun was his friend in the Seminole matter is properly condemned (I. 277).

To the period from January, 1829, to March, 1837, Professor Bassett devotes 291 of the 750 pages of his two volumes, or a little more than one-third of the whole. The same painstaking investigation and wealth of personal detail, so far as manuscript authority is concerned, are exhibited here as in the earlier portion of the work. Jackson's own draft of his first inaugural, which is printed in full (II. 425-428), affords interesting illustration of his ideas and of the changes which his official papers often underwent. I am disposed to agree with Professor Bassett's conclusion (II. 476, note) that the undated "Memorandum of points to be considered in the administration of the government", which I cited in part in my *Jacksonian Democracy* as perhaps indicative of a change in Jackson's original conception of the functions of the Cabinet, is more probably a memorandum which he made of the views of another. Upon some of the larger aspects of the subject, Professor Bassett does not allow himself to dwell. The wide scope of the democratic revolution which culminated in Jackson's time, and of which, at its climax, he was the titular leader and the embodiment; the profound constitutional significance of the struggles with the bank, with South Carolina, and with the Senate; the growth of efficiency and ruthless vigor in party organization; the modification of social ideals and methods through the expansion of western settlement, the growth of trade, and the emergence of moral or humanitarian movements like abolition or projects of social reform; and the sure development of sectionalism in politics under the attrition of industrialism on the one hand and slave agriculture on the other, are not the matters with which Professor Bassett appears to have been greatly concerned. He does, indeed, refer to them, but only briefly and without emphasis. Doubtless it is for the biographer to decide how far he shall make his biography a history also of the period; but clearly Professor Bassett has written a *Life of Jackson*, not a *Life and Times*.

The brief chapter on Personal Characteristics shows much skill in analysis. From one of its primary conclusions there will, I think, be dissent, though perhaps only by way of qualification. "Jackson", writes Professor Bassett, "accepted democracy with relentless logic. Some others believed that wise leaders could best determine the policies of government, but he more than any one else of his day threw the task of judging upon the common man. And this he did without cant and in entire sincerity. No passionate dreamer of the past was more willing than he to test his principles to the uttermost" (II. 700-701). Is it quite the case that Jackson "threw the task of judging upon the common man"? That he was influenced in his own opinions by the fundamental opinions of his day is, of course, as true of him as of all great popular leaders; but is there any conclusive evidence that he really yielded to the

popular judgment on any crucial question? Is it not the fact, rather, that his opinions on public questions were essentially his own, and that, by sheer force of will and the happy chance of opportunity, he so commended his ideas to the masses that the masses came to think them their own? Symonds, speaking of the contrast between the real Caesar Borgia and the "radiant creature" of Machiavelli's "political fancy", observes acutely that Machiavelli, in *The Prince*, "cherished the ideal image of the statesman which he had modelled upon Caesar, and called this by the name of Valentino". The criticism is not without aptness in estimating the relation of Jackson to the masses whom he led.

WILLIAM MACDONALD.

The Annexation of Texas. By JUSTIN H. SMITH. (New York: The Baker and Taylor Company. 1911. Pp. ix, 496.)

EXCEPTIONAL opportunities and laborious industry have enabled Dr. Smith to give us a solid and comprehensive history of the annexation of Texas, based on a minute study of practically all the sources. Every phase of the subject is painstakingly, and, in most cases it seems, conclusively covered. As gathered by the present reviewer, his most important conclusions, which agree in the main with recent investigations based on narrower sources, may be stated as follows: (1) The Texas revolution was "a legitimate measure of self-defense" against the despotism of Santa Anna. (2) The rebels were aided by people of the United States, and there were "no doubt substantial violations of the neutrality law", but these "cannot be shown to have been the fault of our national authorities". (3) "Very good reasons existed" for the recognition of Texas in March, 1837, and Jackson did well in following the implied advice of Congress to recognize it. (4) Sectional influences caused the rejection of the Texan overtures for annexation in 1837, but by 1844 annexation sentiment was "largely non-partisan". (5) British interest in Texas was very great, and though Aberdeen's government seems not to have entertained the idea of annexing Texas, in 1844 it calmly contemplated war, if necessary, to prevent its annexation by the United States. (6) Tyler's desire to effect annexation, therefore, though partly due to personal and political ambition, was backed by patriotism and sound statesmanship; and "the method adopted to avert the peril was the most available and very likely the only effectual one that could have been devised". (7) Actually Texas was independent at the time, and the annexation treaty violated no principle of international law. (8) "Real opposition to the acceptance of Texas makes but a very small showing" in the rejection of the treaty, domestic politics being mainly responsible for its failure. (9) There was "no clear-cut issue between annexation and anti-annexation" in the election of 1844, and Polk's victory was not an endorsement of "immediate annexation"; nevertheless, "a large majority of the people" were "in favor of accepting

Texas at an early date". (10) Fear of injuring Clay's chances, and thereby furthering annexation, deterred England and France from a joint protest against annexation in 1844, but the subsequent withdrawal of France compelled England to work indirectly by inducing Mexico to recognize Texas on condition that it should remain independent. (11) Houston, Jones, and other prominent Texans favored the British plan, but the people were wildly in favor of annexation.

The book naturally contains some errors of fact, but they do not of themselves materially affect its value. Unfortunately, however, another fault may weaken the confidence of some readers in its worth. This is an occasional lack of perspective which is sometimes merely amusing, but which at other times leads to inconsistency, and at still others to questionable conclusions. As an example of the first, take the statement (p. 39) that the Texan Mier expedition—in which the total loss was 261 men—"considerably impaired . . . the fighting strength of the nation". And, remembering all of the facts, what must be thought of the argument (p. 386) that the practical Louis Philippe was influenced in his attitude toward annexation by the hope of eventually inheriting Spanish America (including Texas) through the failure of the Spanish Bourbon line? As an example of the second, on page 209 Calhoun represses disunion talk, but at the same time on page 211 he stimulates it. On page 392 England "could not afford to fight" the United States, but on page 394 it stood ready "to undertake a war in order to establish at the Sabine a perpetual barrier against us". As an example of the third, it seems to the reviewer that, in order to heighten the danger of British influence, too much is made of the apparent changes of public opinion in Texas during 1837-1845 (pp. 69, 70, 74, and chapters xvii. and xx.). And one feels that in chapter x. the influence of slavery is slighted before, and exaggerated after, April, 1844, in order to emphasize a "change of front" in the administration and to explain the Calhoun-Pakenham incident.

The system of citation used, though trying and sometimes uncertain, is probably defensible; but whenever it is possible copies should be distinguished from manuscript originals. For example, it should be indicated that a note containing the word "improperly", to which the author attaches a good deal of importance, is a copy. It seems less defensible to cite articles from which considerable assistance was drawn without giving the names of the writers. And unexplained references to "a well known historian", "the author of this passage", etc., are at the present day inexcusable. However, these are faults of taste. The book as a whole stands for itself, and on most points it probably says the final word. It is fittingly dedicated to the memory of Professor Garrison.

EUGENE C. BARKER.

The Presidential Campaign of 1860. By EMERSON DAVID FITE, Assistant Professor of History, Yale University. (New York: The Macmillan Company. 1911. Pp. xiii, 356.)

THE most important of Mr. Fite's conclusions are to be found in the introduction (pp. ix to xiii). The text includes discussions, of John Brown's raid and the speakership contest (pp. 1 to 91), and of the conventions (pp. 92 to 131), and an analysis of campaign arguments (pp. 132 to 235). There follow (pp. 236 to 342) reprints of the party platforms, and of speeches by Schurz, Douglas, Yancey, and Brownlow, which are not elsewhere readily accessible. The index (pp. 343 to 356) is not particularly satisfactory. Mr. Fite, believing that the campaign began with John Brown's raid, accomplishes the difficult feat of actually beginning there, avoiding the classic review of causes. He elsewhere avoids conventional facts, making his work more interesting to the historian, but somewhat deceptive for the general reader.

The material used is almost entirely of a public, contemporary character: speeches, editorials, public letters, etc.; practically not a fact is adduced which was not available at the time. This limitation is doubtless to be taken in connection with the author's statement in the preface: "Presidential campaigns in the United States are great popular debates". Mr. Fite scarcely mentions the strategy of the campaign, the adaptation of the argument to the locality, the stress put upon doubtful states, the arguments addressed to special classes of the population. Moreover, he gives nothing whatever on the organization of the campaign, the raising of the sinews of war, the meetings and plans of the leaders. No New England town-meeting was ever so unorganized as Mr. Fite's national campaign, and except for general references to North and South, it might have been waged in a country of uniform conditions. Mr. Fite's debaters are as oblivious of locality as Milton's debating demons of the fires of hell.

The use of the material employed, moreover, is not satisfactory. To cull from such sources the essential, to properly represent the real and the talking value of certain arguments, and to read the true meaning under oratorical forms, requires more thoroughgoing knowledge of the whole situation and more political insight than Mr. Fite exhibits. The fact that the "unconditional-union" supporters of Breckinridge in the mountain area were without a spokesman, causes them to remain unmentioned, although they ultimately determined the fate of two states. The Breckinridge leaders in the North are unexplained. The tariff is discussed in thirty lines (pp. 125, 164, 171, 197-198), stating that minor references were made to it. Yet the speech by Schurz, delivered at St. Louis and given in the appendix presumably as typical, is punctuated with that subject (pp. 250-251, 253-256, 261, 263, 265-268), and the New York speech of Yancey, also in the appendix, gives it three pages (pp. 310-312). Mr. Fite, moreover, is absolutely blind to the special

attempt of the Republicans to adapt their arguments to the laboring man, although that was the most marked feature of the contemporary anti-slavery campaign, and the above-mentioned speech by Schurz is its best exemplification. Nor is it that these speeches are left to tell their own story, for they are referred to (p. 186, etc.) and quoted (p. 182, etc.) on other subjects. There is no discussion of the results of the election except for the statement that Lincoln was elected. One is left to suppose that the election determined the Civil War and the line of division.

It seems scarcely courteous of Mr. Fite to state, as he does in his preface, that presidential campaigns "strangely enough . . . have hitherto been neglected as subjects for historical investigation". Mr. Rhodes's account of this period is three-quarters as long as Mr. Fite's and is a history of the campaign. Mr. Rhodes's account doubtless needs supplementing and review along several lines, and one of these is that of popular discussion. It is this niche which Mr. Fite's book might be supposed to cover, but it is not a history of the campaign, and it is not sufficiently ripe.

CARL RUSSELL FISH.

Diary of Gideon Welles, Secretary of the Navy under Lincoln and Johnson. With an Introduction by JOHN T. MORSE, jr. In three volumes. (Boston and New York: Houghton Mifflin Company. 1911. Pp. liii, 549; xvi, 653; xv, 670.)

FOR many years the existence of this Diary in manuscript has been well known. It afforded the basis for upwards of twenty articles—mostly on affairs under Lincoln—which Mr. Welles contributed to the *Galaxy* or the *Atlantic Monthly* from time to time between July, 1870, and April, 1878. Mr. Nicolay was permitted to see the Diary and to make a few extracts from the manuscript while he and Mr. Hay were preparing their elaborate study of Lincoln's career. But Mr. Nicolay was obliged to consult the Diary in Hartford under some restrictions. Almost thirty-two years after Mr. Welles's death, portions of the Diary began to appear in the *Atlantic Monthly* of November, 1909. Ten instalments in as many succeeding issues of the magazine, covering the period of the Civil War (July, 1862–April 22, 1865), were followed in February, 1910, and the eleven subsequent months, by other instalments on the period of Reconstruction (April, 1865–April 17, 1869). Comparison of the *Atlantic* text with the final and greatly extended text now published reveals the anonymous hand of a careful, if not expert, editor bent upon giving the reader as far as possible Mr. Welles's own words. The reader, we are told, "may have full confidence that the text of the diary has been in no way mutilated or revised". It seems fair, accordingly, to assume that no attempt has been made to produce a better piece of literary workmanship than was left by the author.

The opening section, *The Beginnings of the War* (I. 3-69), is an account, prepared by Mr. Welles "several years after the events narrated", of a variety of incidents selected without strict regard to continuity over a period of about a year, the first year of Lincoln's term. Differing in no marked respect from Mr. Welles's customary style, it may have been originally planned as the beginning by Welles of a sketch for a possible history of the Lincoln-Johnson epoch. It serves at any rate as an appropriate precursor to the *Diary* proper.

The *Diary* records, for the most part in a vigorous way, many reflections of men and incidents, and covers a period of about seven years (July, 1862-June 6, 1869). There are 766 pages of comment, inclusive of the impressive and important record of the Lincoln tragedy (II. 280 ff.), on Lincoln's administration. There are 946 pages which throw light on the inside workings of Johnson's troubled term.

On the whole the records under Lincoln afford the most interesting reading. Mr. Welles himself depended on them for most of his *Galaxy* articles. Nicolay obtained a few of the more important of them, occasionally printing exact transcripts where it served his purpose. But it is a matter of large consequence to all students of the war epoch that the Secretary of the Navy's reflections on emancipation, on the beginnings of the policy of reconstruction under Lincoln, and on such figures as McClellan, Halleck, Meade, and Grant, as well as on Seward, Stanton, Chase, and other Cabinet associates, should be accessible for consultation and consideration. These are not history, but they constitute the sort of material out of which the narrative of history is made—colored, vitalized, and strengthened. While Welles leaves Stanton very much as he found him, the most enigmatic and intolerable figure among all the advisers, he had enough appreciation of Seward's ability and virtues to record at many points what would appear to be truthful impressions of him, and so to draw a likeness that cannot be ignored by any future biographer of the Secretary of State. Attention may be directed in this connection to the importance of Welles's detailed record of the Cabinet conference with the Senate committee late in December, 1862 (I. 194 ff.)—one of the most extraordinary incidents in the movement to force Lincoln to dismiss the Secretary of State. This record becomes all the more interesting and significant if compared with Senator Fessenden's contemporary notes on the same incident, written from a different point of view and printed five years ago in Francis Fessenden's *Life and Public Services of William Pitt Fessenden* (Boston, 1907), I. 231-253.

The second portion of the *Diary*, which follows the account of Lincoln's death in Washington, is likely to prove the more valuable contribution to history. Here one gets many discerning impressions of the development and failure of Johnson's ideal of reconstruction, the story of the veto of the Tenure-of-Office bill, comments on the suspension of Stanton, severe reflections on the growing ambition of Grant for political honors, glimpses of Stanbery, Evarts, and Sumner, together with

some of the inside and complicated history of the impeachment process. Above the details of Cabinet discord, Congressional bickerings, and the miserable squabbles of hostile and ill-natured partizans both in and outside Congress, there stands forth in Welles's pages the figure of Andrew Johnson. The portrait is essentially a new one done by a friendly and intelligent hand. It is sufficiently definite too to impel careful students of the man and the peculiarly grave problems which confronted him to reconsider such impressions of him as they may already have gained from other sources. It is not apparently a conscious defense of Johnson, an attempt to rescue his memory from the oblivion which his enemies hoped might overtake it. On the contrary it is drawn incidentally and gradually as the acquaintance and intimacy grew. There is no effort to deny weaknesses: Johnson's persistent reticence with his advisers, his intellectual hesitancy often followed by rash and precipitate decision and action are frequently dwelt upon. What Welles admired and set forth was the evidence of Johnson's loyalty to constitutional principles. He found his state papers often illuminating. Of measures he reckoned him a good judge, but not of men.

Of Welles's own ability as a Cabinet councillor, his alertness to principles, his insight into men, and his industry, the Diary affords much evidence. A journalist by training, and for years before 1861 accustomed to keeping a diary, Welles had become habituated to the uncritical use of caustic phrases and characterizations. He could not rid himself of modes of expression that are certainly often misleading and untrue to his deeper and real convictions. The Diary might well serve as a challenge to a biographer to try his hand at a portrait of the Secretary of the Navy, for without it such a portrait has been hitherto impossible.

This final text of the Diary suggests one very important problem of the "higher criticism". In view of the activity of Mr. Welles as a writer during the last eight years, when he had retired from public life to his Hartford home, did he, it may be asked, revise the original records of this Diary or, at any rate in some instances, elaborate them? Two passages, among others, will serve to make the reasonableness of this query evident. (1) No account is taken in the opening section (admittedly written some years after the events narrated) of the Trent Affair. The first important allusion, indeed almost the only one in the Diary, to that episode occurs under date of May 12, 1863 (I. 299). There he writes of Wilkes's "strange course in taking Slidell and Mason from the Trent". Seward, he adds, "at first approved the course of Wilkes in capturing Slidell and Mason, and added to my embarrassment in so disposing of the question as not to create discontent by rebuking Wilkes for what the country approved. But when, under British menace, Seward changed his position, he took my position, and the country gave him great credit for what was really my act and the undoubted law of the case." This is so obviously unfair to Seward and out of accord with

Welles's own careful statements that the attention of the unwary reader might have been briefly called to these statements ("The Capture and Release of Mason and Slidell", *Galaxy*, May, 1873, XV. 640 ff.; *Lincoln and Seward*, pp. 184 ff.). (2) The second passage is a long series of reflections on the course of New York party politics with extended comments on the history of the Albany Regency (October 7, 1867, III. 223-229). It is too long to quote. It is the sort of subject in which Mr. Welles had been much interested for a great many years and on which he had often expressed himself in editorials long before he was called into the Cabinet. A careful reading of it will show that it was probably written after Johnson's administration. At any rate it appears to the reviewer to be a passage not likely to have been written under the date given.

Mr. Morse's Introduction gives an excellent sketch, not always quite accurate, of Mr. Welles's life. The index, by Mr. D. M. Matteson, is ample without being exhaustive. A few incidental references to Calhoun (I. 376; III. 52, 223) might have been included. The one serious omission noted in the index is the failure to include any direct reference to Charles Sumner; a page has, at this point, fallen out, but the publishers stand ready to supply it. Otherwise, the book is a carefully printed and sumptuous work.

HENRY BARRETT LEARNED.

The Tariff in Our Times. By IDA M. TARBELL. (New York: The Macmillan Company. 1911. Pp. ix, 375.)

At a time when the perennial tariff question seems to be more prominent than usual this volume, appearing originally as a series of articles in the *American Magazine*, is most opportune, especially as it deals with a phase of the subject which, though of great importance, has never yet received adequate attention. The two leading books previously available covering this general subject were Taussig's *Tariff History of the United States* and Stanwood's *American Tariff Controversies*. The former dealt with the subject primarily from the point of view of economics, studying the economic basis and results of protection; and on that side it still retains the pre-eminently authoritative position it has always held. The latter volume, written with a distinct protectionist bias, was primarily devoted to the political history of the tariff. Though at the same time it discussed to some extent the economic aspects of the question this discussion was unsatisfactory, being superficial, uncritical, and partizan. Miss Tarbell gives her chief attention to still another phase of the problem, one which might well be called the moral history of the tariff. As such it is a distinct and highly desirable addition to the literature of the subject.

The tale begins, as Miss Tarbell takes it up, with that abrupt change in our tariff which came with the Civil War. Under pressure of the

financial difficulties which then beset the government the tariff duties, always the chief source of revenue, were advanced to an unprecedented figure. It was commonly understood that this was only a temporary arrangement. But the manufacturers and other beneficiaries once having enjoyed these advantages and adjusted themselves to the new high level of duties not only clung to them with the greatest tenacity, resisting all attempts at reduction, but even demanded more. As a result the last half-century of our tariff history has witnessed a tendency towards a still higher level of duties finally culminating in the Dingley Tariff of 1897, a movement only interrupted by spasmodic and ineffectual attempts at reduction. The story of how these attempts were blocked by keen political manoeuvring or wire-pulling, how special interests secured more protection, how bargains were made, how schedules were secretly manipulated, how in one way or another through all these years economic principles—yes, even protective principles—were ignored and “public opinion was never embodied in the bills adopted” while private interests and the desires of small groups of producers ruled supreme; in brief the ethics of actual tariff-making constitutes the narrative of this volume. The study, which appears to be based primarily on Congressional debates, tariff hearings, biographies, and contemporary newspapers, has been made with care and thoroughness. The history is vividly told and the human element adds much to its interest. The statesmen, lobbyists, political bosses, and others actively engaged in moulding the tariff schedules pass by in rapid succession. From Morrill, Randall, “Pig-Iron” Kelley, Blaine, Morrison, and all the others of the earlier days down to Whitman, Aldrich, and the group of to-day, the characters are deftly pictured with a trenchant and critical pen, keen to attack any act of selfish interest. It is a sordid and disheartening tale, perhaps a bit overdrawn at times, but one at which the sincere and scientific protectionist will be quite as downcast as anybody else. Certainly one who reads this narrative will be strongly inclined to agree with the author’s own conclusion that “simmered down to its final essence the tariff question as it stands in this country to-day is a question of national morals, a question of the kind of men it is making”.

It is when treating the subject from this ethical standpoint that the author is at her best, and that is excellent. But when the proving of her point involves study of the economic aspects of the tariff the treatment is less satisfactory. The general trend of her conclusions is as a rule economically sound, yet there is lacking that keen analysis of the many factors involved in the problem and the careful limitation of sweeping conclusions which accurate scholarship might demand. Thus, is it not putting the case rather strongly, to say the least, when it is stated that the Morrill tariff bill “was the chief reason the Confederates had for thinking their new government would succeed” (p. 8), or when it is declared that legislation only affects the distribution and not

the production of wealth (p. 52)? Similarly we find signs of that tendency always present in tariff discussions greatly to exaggerate the influence of the tariff, as when the high duty on iron and lumber is alone held responsible for the decline of shipbuilding (p. 62). Again it may be noted that exactly the same line of reasoning used to condemn the tariff because of the conditions in Rhode Island for which it is impliedly held responsible (pp. 336-349) could be used with equal justice if applied to England to prove the damning effects of free trade. Whether the cause of a scientific tariff will be promoted by reasoning of this character is seriously open to question.

But in the case of a book of this type, intended to arouse the public to realization of a serious evil, one is not justified in pushing such criticism further. Laborious attempts at accuracy of detail soon weary the general reader and carefully modified statements blunt his enthusiasm for reform. Especially may such criticism be disregarded since the line of attack on moral grounds here chosen will appeal most quickly to the public ear and, in the present state of sensitiveness on problems of this sort, will most readily secure the desired reaction. For these reasons it is to be hoped that this narrative of the much-neglected ethics of tariff legislation will have the widest circulation.

CHESTER W. WRIGHT.

Twenty-Seventh Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution, 1905-1906. The Omaha Tribe. By ALICE C. FLETCHER and FRANCIS LA FLESCHÉ. (Washington: Government Printing Office. 1911. Pp. 672.)

OF all the Indian tribes whose industries, religious rites, or social institutions have been investigated and reported upon by the Bureau of Ethnology, none, perhaps, has received fuller and abler treatment than the Omaha. In the third annual report appeared Dorsey's *Omaha Sociology*, a pioneer effort of great merit, and now in the twenty-seventh comes Fletcher and La Flesché's *Omaha Tribe*, which is virtually an elaboration of, and a supplement to, the earlier work. The value of this book, as of its predecessor, is almost exclusively ethnological, for the history it contains is so meagre and so scattered as to be almost unrecognizable. In one instance, however, history or what pretends to be history, has been fairly dragged in and for no other purpose, apparently, than to enhance the tribal importance of the La Flesché family; this would have been somewhat excusable under the circumstances, had facts been strictly adhered to and the whole story told.

We refer to the biography of Joseph La Flesché, who was a half-breed Ponca, the adopted son of Big Elk the Second, head chief of the Omahas. Our authors, not on their own authority, but on the authority of a single Indian, Wa-je-pa, calmly assert Joseph La Flesché

to have been an Omaha, which is somewhat surprising, considering that, at the time of his attempted usurpation of the Omaha chieftainship, he was opposed on the ground that he was a Ponca, and considering that Rev. J. Owen Dorsey, who knew him intimately, called him unreservedly a Ponca and met with no denial from Joseph La Flesche himself who was then yet alive. Our authors, moreover, permit the reader to get the impression that Joseph La Flesche was the legitimate successor of Big Elk and innocently fail to record his deposition in 1865, although they admit that his installation was incomplete. Undoubtedly Joseph La Flesche, strong-willed, arrogant, and progressive, was largely responsible for the tribal dissensions that compelled the United States government to recognize "paper chiefs", and for the political disintegration that found its climax in the abolition of the ancient chieftainship in 1886.

Fletcher and La Flesche, like Dorsey but not so clearly or so positively as he, attempt to trace the migratory movements of the Omahas, who, in the company of their close cognates of the Siouan group—the Quapaws, Kansas, Osages, and Poncas—journeyed, at some indeterminate time, westward towards the Mississippi—an undivided band. At the mouth of the Ohio came the first tribal parting; for the Quapaws broke away and went down the stream, hence their name, while the others continued their course north and west. The next to break away were the Kansas and Osages and the last, the Poncas "on or near the Missouri River". The Omahas had by that time come into contact with the Arikara, of whose territory—Nebraska—they took possession. There they are to-day, exceptional Indians, in that, comparatively speaking, they have been little molested and have given little offense.

Fletcher and La Flesche, in their general avoidance of historical matter, have little to say about the great characters of Omaha history. They pay practically no attention to the remarks of early travellers—Bradbury, Long, Maximilian, and others—who found the Omahas such an interesting people and noted their customs. The renowned and oratorical Om-pa-ton-ga, Big Elk the First, comes into their story only incidentally and in one place seems to be confused with his almost equally great namesake. Two Crows, who, together with Joseph La Flesche, furnished Dorsey so much of his material, is pictured but not used as an authority; yet Two Crows was of the Honga gens and, if Fletcher and La Flesche give something concerning that gens or concerning its hereditary charge—the Sacred Pole—at variance with what he told Dorsey, we ought surely to know the source of their information and at least hear of Two Crows, especially since we are constantly hearing of Joseph La Flesche. The chief faults of their work are here hinted at—persistence of family emphasis and lack of references. Much as we should like to take what they say on faith, we are professionally obliged to refuse to do so. We also find it difficult to do their narrative justice because it is so rambling and so disorganized. The

patient reading of it, however, is adequately rewarded in all other respects. It is interesting in the extreme.

The Leading Facts of New Mexican History. By RALPH EMERSON TWITCHELL. Volume I. (Cedar Rapids, Iowa: The Torch Press. 1911. Pp. xxi, 506.)

WITH its elaborate foot-notes, bibliographies, and facsimiles of manuscripts, this beautifully printed and bound book conveys at first sight the impression that it is the result of much original investigation, and as such it has been represented by uncritical reviewers. But closer examination shows that it is nothing of the sort. The book is, as a matter of fact, purely a compilation, and of the simpler kind, most of the text being either a close paraphrase or a direct copy of two works. If the borrowing had been duly acknowledged, the book would have been welcomed and judged on its merits as a compilation; but it is unfortunately the case that the compiler, while making much show of citation and quotation of supplementary matter in the foot-notes, has, either in ignorance or flagrant disregard of literary ethics, in the main concealed the sources from which he copied or paraphrased the text, and much of the foot-note matter as well, thus creating an impression of independent work which he did not perform. Nor is he relieved of this charge in any important measure by his prefatory remark that "a great deal of the work . . . may best be termed editing", or by an occasional observance of the proprieties, which only serves to further mislead.

Such a statement as this cannot be made without at least an indication of the evidence on which it rests, and to this end most of my space will be devoted. Chapters II., III., and IV. of the book in question deal with the early Spanish exploration of New Mexico. On reading the foot-notes and bibliographies one misses references to Lowery's very pertinent work, *The Spanish Settlements within the Present Limits of the United States, 1513-1561*. A more careful reading, however, shows that Mr. Twitchell has by no means overlooked it. Indeed, the greater portion of the text of the one hundred ninety-nine pages comprised in these chapters is taken almost bodily from book II., chapters III., v., and vi. of that book, but absolutely without credit, for neither the name of Lowery nor of his book receives mention in the work. The order of presentation is identical, with few exceptions, through paragraph after paragraph, page after page, while there are hundreds, if not thousands, of identical phrases, sentences, and even large portions of paragraphs, without a single acknowledgment. Chapter III., for example, on Fray Marcos de Niza, is a paraphrase of Lowery's chapter v. By actual count one hundred fifty-nine identical phrases or sentences were found in identical connections, although the chapter contains only about ten full pages of text; nor does this state-

ment give an adequate impression of the closeness of the paraphrasing. Very clearly Mr. Twitchell regards Lowery as a reliable translator as well as a safe historian, for the identity extends to numerous extracts translated from the Spanish. In these cases Mr. Twitchell generally cites the same originals as Lowery (except occasionally, as where Lowery's reference to Mota Padilla 111 somehow becomes "Mota Padilla, 3"), but Lowery never.

Lowery's book reaches only to 1561, and Mr. Twitchell's anchor for the remainder of his text is Bancroft's *Arizona and New Mexico*. In this case the compiler's shortage of quotation marks is less obvious, because due credit is given here and there for portions borrowed—in the very paragraphs, indeed, where much greater portions are taken without credit.

Less attention has been paid by the reviewer to chapter I., dealing with ancient New Mexico, but a casual examination shows that most of pages 4-7 and 42-50 were taken almost verbatim and altogether without credit from Hodge's *Handbook of American Indians* (part I., pp. 171-172, 305-309, 108-109, 327).

As has already been intimated, the method above described extends in liberal measure to the foot-notes, also; and this applies not merely to citations, but to comments and important conclusions as well. For example, more than seventy of the notes in the last one hundred fifty pages were traced directly to Bancroft's *Arizona and New Mexico*, though no credit is given to that work. An instance, which could be paralleled by others, is note 362, where eighty-seven lines, consisting of a summary based on Vetancurt, are taken verbatim from Bancroft, pages 172-173, although the citation is to the original Spanish work. The only other explanation possible would be that two independent writers could give identical summaries of a lengthy passage in a foreign language. Again, on pages 344-412 at least twenty-three notes which purport to be the result of independent work in the sources were traced directly to Bandelier's *Final Report*, parts I. and II.

Another remarkable feature of the work is the citation of rare manuscripts. From the frequency of these citations and the extended comment on manuscript sources in the Prefatory Note, the reader would infer that Mr. Twitchell had really used a great deal of this class of material, in addition to printed works. But appearances are misleading here also. To begin with, many of the first-hand citations are to manuscripts in the private collection made by Mr. H. H. Bancroft, to which, we know, Mr. Twitchell never had access. In these cases, naturally, the citations can all be traced directly to Bancroft's *Arizona and New Mexico*. If space permitted, it would be easy to demonstrate by the pagination and titles of the manuscripts cited that such is the case with his references to the "Pinart Collection", notes 346, 355, 413, 445, 446; to "N. Mex. Doc.", notes 375, 461, 462, 465, 470, 474, 475; to Otermin's "Extractos", notes 349, 375, 376; to Bonilla's "Apuntes",

note 465; to Morfi's "Desórdenes", note 482; to Menchero's "Declaración", note 465; and to "Moqui, Noticias", note 437. Mr. Twitchell evidently did not know that many of these citations refer to Bancroft's personal note-books, and not to the pagination of the documents in any archive; or that some of the titles are designations given to documents by Bancroft, and are applicable only to his own collection.

Again, on the period of the Pueblo revolt and the reconquest by Vargas, Twitchell not only cites first-hand but gives extensive extracts from the manuscripts entitled "Ynterrogatorio de Preguntas", "Parecer del Fiscal", "Diario del Sitio", "Diario de la Retirada", "Protesta á Don Diego de Vargas", "Carta al Padre Morfi", "Memoria del Descubrimiento", "Petición de los Vecinos de Albuquerque al Cabildo de Santa Fé", "Certificación de los Huezos del Venerable Fray Juan de Jesus", "Estado de la Misión de San Lorenzo el Real", "Autos del Año de 1694", "Relación Sumaria de las Operaciones Militares del Año de 1694", Escalante, "Relacion del Nuevo Mexico", and "Autos de Guerra, 1696". These extracts, with references directly to the manuscripts, should create the presumption that Mr. Twitchell had used a considerable body of fundamental manuscript sources for this period. But the impression is modified when we learn that in every one of the twenty-five cases in which the quotations were tested, the identical extracts, with the identical references to the manuscripts, and usually with the identical notes and comments, were found in Bandelier's *Final Report*, parts I. and II., though no reference is made to that scholar's work. Mr. Twitchell may have had access to these documents, but no evidence has been found that he made any independent use of them.

Such a method of appropriating the results of the work of others can be regarded in only one light by scholars; and it is due to scholars that a protest be made against its employment by those who know better, and that books produced by it by those who do not, be represented in their true light. Hence this review.

After the above statement of the sources and workmanship of Mr. Twitchell's book, it hardly need be said that, although it is a useful compilation, it adds little to our knowledge of the history of New Mexico.

HERBERT E. BOLTON.

Fifth Report of the Bureau of Archives for the Province of Ontario.

1908. By ALEXANDER FRASER. "*Sendake Ehen*" or *Old Huronia*. By ARTHUR E. JONES, S.J., Archivist of St. Mary's College, Montreal. (Toronto: King's Printer. 1911. Pp. xxxii, 505.)

THIS fifth report of the Ontario Bureau of Archives, under the guidance of Alexander Fraser, is devoted entirely to "*Sendake Ehen*" or *Old Huronia*, by Rev. Arthur E. Jones, S.J., the Archivist of St. Mary's

College, Montreal, who has embodied in it the results of years of personal investigation and research. "Old Huronia"—practically the County of Simcoe, in the Province of Ontario, was the home of the Huron Indians during the first half of the seventeenth century, including the period from 1615 to 1650, *i. e.*, from the coming of the Catholic missionaries down to the abandonment of St. Joseph's Island, after the destruction of the Huron villages and the more or less complete annihilation of the "Nation" by their fierce and warlike kinsmen, the Iroquois. The identification of the numerous village sites of ancient Huronia, representing at one and the same time native culture and Christian influence, has been one of the most interesting historical and archaeological problems within the borders of the Dominion.

Of prime importance for solving the questions involved is the inset map (earlier than his general map of 1660) of Ducreux's *Historiae Canadensis Libri Decem* (Paris, 1664), which contains the names and apparent locations of the Huron settlements, and the present volume is the most thoroughgoing discussion in print of the historical, linguistic, and archaeological evidence, old and new, which may be thought to shed light upon these seventeenth-century Hurons and their migrations within the rather limited area occupied by them. Father Jones's monograph is not intended as a history of the Hurons or of the missionaries. Part I. (pp. 1-266) is concerned with the identification of the various village sites, with a section (pp. 167-213) on the derivation of the Huron place-names. Part II. (pp. 269-413) is a chronological record of the Huron missionaries and mission-centres, year by year, from 1615 to 1650. As an appendix or supplementary chapter (pp. 417-458) Mr. Fraser has added the article on the "Huron Indians" by Father Jones, in the *Catholic Encyclopedia*. In 1898 Dr. Jones contributed to volume XXXIV. of Dr. R. G. Thwaites's *Jesuit Relations and Allied Documents* a "Theoretical Map of Huronia", and the work under review has a map of the "Huronia of the Relations" made in 1906; the former was based upon documentary evidence only, while the latter is the result of "a topographical investigation and a careful personal inspection of all the principal sites". The volume has a good index and the table on pages 408-413 showing volumes, chapters, and pages of the Quebec edition of the *Relations* and the corresponding volumes, chapters, and pages of the Cleveland edition may be also of service. Among the illustrations are reproductions of a number of water-color sketches by Father F. Martin, who visited this region in 1855.

Some of the more interesting points brought out by Father Jones are as follows: the *Arontacn* of the *Relations* was the *Carhagouha* of Champlain (p. 51); Champlain's "Little Lake" was Lake Couchiching and not Bass Lake (p. 83); St. Jean and St. Jean-Baptiste are quite distinct (p. 89); St. Ignace II., important as the scene of the martyrdom of Brébeuf and Lalemant, was not on the Newton Farm (this was the site of St. Louis), but on the Campbell Farm (east half lot 4,

concession VII.); the discovery of *Ekaenniondi*, the famous "Standing Rock" of the Petuns, near which, but probably in Grey County, was their village of the same name, is a personal achievement of Father Jones (pp. 241-248)—an attempt to discover the site of *Etharita*, or the St. Jean of the Petuns, not far from St. Mathias (*Ekaenniondi*), was unsuccessful. The *Caldaria*, given on Ducreux's inset map as the name of a Huron settlement, has been a *crux* for historians, but the author is probably right in seeing in it the equivalent of the French *sueries*, the well-known "sweat-houses" or hot baths of the Indians (p. 157), *i. e.*, unless the word be a misprint for Huron *Katdaria*, "The Little Circle of the Dead". An interesting fact (p. 163) is the existence, outside Huronia, in the Algonkian territory, of two settlements bearing Huron names, *Endarahy* and *Tangouaen*, both mentioned in the *Relations* for 1646. In his interpretations of Huron place-names Father Jones had made use of the manuscript, "Elementa Grammaticae Huronicae" and "Radices Huronicae" of Father P. Potier (died 1781), works completed between 1743 and 1751 and now in the library of St. Mary's College. It is needless to say that some of the etymologies suggested are subject to revision. It is with regret that one learns (p. 171) that "Huron is a dead language", for "the last Indian who could speak the language, Chief Bastien, died some years ago at Lorette".

ALEXANDER F. CHAMBERLAIN.

Documentos Históricos Mexicanos: Obra Conmemorativa del Primer Centenario de la Independencia de Mexico. La publica el Museo Nacional de Arqueología, Historia y Etnología, bajo la Dirección de GENARO GARCÍA. Tomos I.-VI. (Mexico: Museo Nacional. 1910. Pp. xix, 508; xiii, 564; xxii, [440]; xx, [585]; xv, 523; xiv, 590.)

THIS monumental collection is worthy of the important occasion which it commemorates and of the scholarship of its distinguished editor, from whose activities there has resulted a steady stream of historical works since the publication some ten years ago of his much-praised *Carácter de la Conquista Española*. The present work was prepared under the authority of the Secretary of Public Instruction and printed by the Museo press. The six volumes are the first of eighteen, as the series was projected, but it is not known whether, in view of Señor García's resignation from the directorship of the Museo, the remaining volumes will be printed or not. While the editing was done by Señor García, the production is the result of the combined efforts of a large corps of workers. The gathering of the documents, apart from those coming from the editor's personal collection, was done by a staff of seven, not counting the copyists, directed by Señor Ignacio B. del Castillo and including such experienced workers as Canon Vicente de P. Andrade and Señor Elías Amador. The illustrating was com-

mitted to five artists and the chief photographer of the Museo. With this large force it was possible to produce the six volumes in less than three years.

In a large measure the documents included in the collection have been hitherto unpublished, or have been practically inaccessible, and in this respect are a positive addition to available materials for the study of the Mexican revolution. The chief exceptions to this rule are the first document in tomo I. and those included elsewhere which are also printed in the collection of Hernández y Dávalos (Mexico, 1877-1882). Aside from these and the materials printed in tomos III. and IV., the greater portion of the documents are from the original manuscripts in various archives. The majority of them are from the great central collection, the Archivo General y Público, but the editor drew also upon his private collection, the Archivo General de Notarías, and the archives of the Sagrario Metropolitano, the Escuela Pública "Lic. Verdad", the Parroquia del Arcángel San Miguel, and the Museo Nacional.

Tomos I. and II. contain documents relating to plans for independence before 1810. The first piece in tomo I. is a report of the trial of Judge Workman and Colonel Lewis Kerr, members of the Sociedad Mexicana, held in the United States district court at New Orleans in 1807. It is printed from a manuscript translation found in the papers of Viceroy Garibay after his death. The case was published in English in 1807 (see *Trials of Workman and Col. Lewis Kerr for planning an expedition* [against] *Mexico*, New Orleans, 1807). Besides this interesting document there are in the same volume the trials at Mexico of Lic. Julián Castillejos, Fr. Miguel Zugaste, the trial at Valladolid of José María García de Obeso and the Michelenas, and the investigation at Mexico of the conduct of the Marqués de San Juan de Rayas.

Tomo II. contains documents relative to the insurrection of 1808 at the capital, headed by Lic. Francisco Primo Verdad y Ramos, Lic. Juan Francisco de Azcárate y Lezama, and Fray Melchor de Talamantes. These documents were nearly all furnished by Señor García himself, having been used in the preparation of his monograph on *El Plan de Independencia de la Nueva España en 1808*. The one hundred and thirty-two pieces cover the antecedents and the development of the plan, the deposition of Viceroy Iturrigaray and other repressive measures, various accounts of the conspiracy, and other related matters.

Tomos III. and IV. consist of facsimile reproductions of insurgent periodicals published during the revolution. One is at first surprised at the small amount of printing of this class during the war, for Señor García was able to put in the two volumes—a little over a thousand pages—all of the numbers of all the sheets he could find. Only twelve publications are represented, and the total number of issues is less than one hundred and sixty, or an average of thirteen each. The paucity of

these sheets is not so hard to understand when we are reminded by the editor that printing was at best an unusual thing for the Mexican people at the time, that the insurgents were without presses, type, ink, and experienced printers, that it was treason even to have revolutionary periodicals in one's possession, and that all that could be found were burned by the royal hangman. It would appear that Señor García did not go outside the republic in his search for these papers, for the Bancroft Library, at the University of California, possesses two sheets which are pertinent to the collection but which it lacks. These are two supplements (*Alcance Cuarto* and *Alcance Quinto*) to no. 18 of *El Mosquito Tulancingueño*, of which Señor García says he was unable to find a single number. They were printed at Mexico ("Inprenta de los ciudadanos militares independientes D. Joaquin y D. Bernardo de Miramon"), dated October 12 and October 21, 1821, respectively, and signed by Gerónimo Torrescano.

The successful reproduction of these rare documents in facsimile is a noteworthy example of what can be done in this line, and one which deserves to be extensively followed in the reproduction of manuscripts.

Tomo V. is dedicated to the insurgent women of the era of independence. For this task also Señor García was well fitted, through the preparation a short time ago of his work on *Leona Vicario, Heroína Insurgente*, which was based to a large extent on the documents here published. Nearly two-thirds of the volume is devoted to Leona Vicario, the most noted of the insurgent heroines. In addition to her name and that of Doña Josefa Ortiz, the present volume makes known the careers of a score or more of others who deserve remembrance.

Tomo VI. is devoted to trials of insurgents during the years 1811-1812, all printed from the original manuscripts in the Archivo General y Público. The most important single document is the record of the trial of Ignacio Allende, "the first disturber of the peace of this America". Others of interest are the trials of Lizardi, Prado, James Ora (Anglo-American), Tinoco, de Luévano, Oronoz, Fray Sebastián Manrique, and Presbyter Javier Dávila y Bravo.

The editing of the volumes is well done. Each volume contains a brief but satisfactory introduction; the original texts were faithfully followed in the printing, editorial emendations being indicated by parentheses. We especially commend the good index in each volume, a feature too often lacking in Mexican books. More editorial notes would have been welcome, but we can better spare them than the additional documents which Señor García was enabled to publish by the saving of time which minute editing would have cost. It would have been more helpful had the editor given archive citations.

A notable feature of the work is its illustrations. The drawings get their inspiration from native Mexican civilization and colonial architecture; besides these there are plentiful portraits and photographic

representations of historic documents, signatures, buildings, and scenes connected with the revolution, all together giving the work, as the editor designed, a national character highly appropriate to the occasion. The printing and paper are excellent.

HERBERT E. BOLTON.

MINOR NOTICES

La Synthèse en Histoire: Essai Critique et Théorique. Par Henri Berr, Directeur de la *Revue de Synthèse Historique*. (Paris, Félix Alcan, 1911, pp. xvi, 272.) Almost everyone who busies himself with history professionally finds his mind turning now and then to the question of the precise nature and purport of his work; to a consideration of the meaning of the vague words of which he and his fellows make use, such as "cause" and "law", "progress" and "decline"; to the fundamental contrasts between the natural and historical sciences; and above all to the final end and aim of historical investigation and of the accumulation of accurate information in regard to the past of mankind, and the bearing of these upon our understanding of life and our competence to conduct it properly. To these problems M. Berr addresses himself and his book is valuable not only as a statement of his own answers but as a brief *compte rendu* of the general lines of discussion at the present time. He realizes that "scientific" history disappoints the intelligent public, and even some of its own adepts, since it fails too often to be either amusing or edifying. The synthesis of mere learning he believes to be in a hopeful state of advance but the higher "scientific synthesis", as he calls it, cannot proceed without a reconsideration of the terms so carelessly and uncritically employed by historians. In his discussion he hopes to steer a wise middle course between those who contend that the accumulation and cataloguing of facts exhaust the legitimate aspirations of the historian and those, on the other hand, who, like the older philosophers of history, were more or less indifferent to what had actually taken place.

The book requires the type of attention that one must give to a work on philosophy and in the present state of historical study in the United States few there will be who will have the patience to read it and still fewer will feel that they have fully understood it. After an interesting and instructive discussion of the general question of historical synthesis he reaches the question of the elements which enter into the highest form of historical presentation. He first takes up, under *La Contingence*—slipperiest of words—chance; personal, collective, geographic, temporary, and momentary individuality; and *Völkerpsychologie*, which he characterizes as "complexité d'éléments et confusion". Then comes Necessity and its domain, especially as the term is used in recent sociological discussions. Under the caption *La Logique* the writer undertakes to purify the older conception of final causes and assign to them their proper place beside contingent and necessary

causes. He deals with the struggle for existence; with the origin of social consciousness and its implications; with the "inventor", whether in the field of morals or in that of industry; with primitive mentality—*le prélogique*; with religion and the origin of its concepts; with magic and the beginnings of science; and, finally, with the nature of civilization and the scope and methods of the history of ideas. He closes his volume with a brief forecast of the future of history. The writer describes his general aim to be, "recueillir et coordonner ce qu'il y a de meilleur et de complémentaire dans la pensée de quelques Français éminents": Taine, Cournot, Tarde, Lacombe, Durkheim; and there is no reason why one reading his book carefully should not find himself well oriented in this field of speculation; indeed not a few readers will realize that their curiosity has been satiated long before they reach the concluding paragraphs.

J. H. R.

A Short History of War and Peace. By G. H. Perris, Membre de l'Institut International de la Paix. (New York, Henry Holt and Company; London, Williams and Norgate, 1911, pp. vi, 256.) Peace literature is daily becoming more abundant and is appearing in all known forms. The greater part of it is what such literature has been in the past, an expression of feeling or opinion. Altogether too little of it rests upon the solid foundation of established fact, though war and its consequences offer a large field for research.

This booklet does not escape the fault implied in the lines above. Its author is a pacifist, and he is a newspaper man; these facts account for the writing of the book and its character. There is nothing original about it, as appears even from its title; which by the way is not at all descriptive of the contents of the book, ten chapters of which (there are eleven) are an epitome of general history written in literary style. There is a wealth of fact and allusion in them but they can hardly be said to touch war or peace especially, except that most of the important wars and battles of history are mentioned. It is not that the facts here listed are incorrect but that the author's purpose in listing them is not apparent; unless, indeed, to state at the beginning of an all-inclusive chronological table what it is supposed to show, be enough to give it meaning.

From what has been said it must appear that the reader and the cause of peace will gain little from these first chapters. Therefore, let all readers omit them and get at what is worth while in the book, the last chapter. This to be sure is only twenty-five pages long, but it is leavened with a perceptible purpose. It suggestively discusses: (1) the transformation of the character of warfare by the advance in quality and quantity of armament; (2) international credit economy; (3) international capital and labor; (4) the tendency among western nations toward an arrest of population. It is worth reading.

The Notes on Books do not pretend to be exhaustive, and the index is perfunctory.

EDWARD B. KREHBIEL.

The Economic Principles of Confucius and his School. By Chen Huan-Chang, Ph.D. In two volumes. [Columbia University Studies in History, Economics, and Public Law, vols. XLIV., no. 112; XLV., no. 113.] (New York, Longmans, Green, and Company, 1911, pp. xv, 362; 365-756.) Western students of Chinese culture have long entertained hopes that its philosophy and institutions might some day be interpreted to them by Oriental scholars in terms of Occidental civilization. Dr. Chen's elucidation of one phase of the Confucian system may be called the first important contribution to the fulfilment of these hopes, and from its workmanlike method it augurs well for the production in the near future of other treatises on Chinese society by scholars with similar advantages of foreign training. China's age is not more impressive by itself than that of several long-lived empires; her importance to us for purposes of comparative study lies chiefly in the continuance of her antique institutions down to the present time, when we may observe their working and have them interpreted by her own people. Such an opportunity as this offers for understanding ancient societies does not yet seem to be fully appreciated by students of past cultures such as those of Egypt, Persia, or Greece. The accepted theory is that Europe and the Far East, having had no intercourse, afford no common basis for comparison. The appearance, however, of many similarities in their early institutions, and the fact that certain usages which have outlived their usefulness in the West still obtain in the East, suggest an important range of studies for the economist and historian.

The present volume is primarily an examination of the economic bases of the old régime in China; its interest to the historian is hardly less than that of the ancient Semitic and Roman codes to students of the ancestors of our own civilization. It reveals Confucianism as a polity as well as a moral and religious system, and incidentally discloses some of the causes which have made the Chinese state endure. Use of the sources in such an investigation as this involves, however, very careful preparation. The English reader may be shown the cryptic nature of the Confucian text and the necessity of a true exegesis by a single example. A disciple asks the Master how a state should be administered; the reply is: "Adopt the calendar of the Hsia dynasty. Ride the state carriage of the Yin dynasty. Wear the crown of the Chou dynasty. Imitate the music of Shao and Wu. Banish the tunes of Chêng, and keep far from specious talkers. The tunes of Chêng are licentious; specious talkers are dangerous" (p. 74). The meaning of these figures appears to be that the calendar, carriage, and crown of the three dynasties mentioned signify the best agricultural, commercial,

and industrial standards, while music refers to social life, and the last sentence to moral conduct. Once possessed of the key, we discover that the factors in the Sage's dictum are four parts economic to one moral, but the importance of such expansion and interpretation of the text obviously rests upon a correct scientific system. It may be stated, however, that the commentaries and critical apparatus of Chinese classical scholarship are very ancient and complete and that their accepted expositions find favor among competent Western experts. The tone and temper of Dr. Chen's work inspire the reader's confidence in his deductions, a confidence fortified by the endorsement of two such distinguished authorities as Professors Hirth and Seager. The author's arrangement of his book in conformity with conventional English treatises on economics renders it easy of consultation, though the form must not delude one into supposing that the economic content of the *Ching* stands revealed in this way to the common reader. If the work endures the test of such criticism as can be secured only at the hands of his countrymen it gives promise of revealing their own institutions to them to great practical advantage in the reconstruction of the state, and of being accounted an epoch-making performance.

F. W. WILLIAMS.

The Common People of Ancient Rome: Studies of Roman Life and Literature. By Frank Frost Abbott, Kennedy Professor of Latin Language and Literature, Princeton University. (New York, Charles Scribner's Sons, 1911, pp. xi, 290.) This book is by an author who has already given us a valuable series of essays in his *Society and Politics in Ancient Rome*, and the present volume "deals", says the preface, "with the life of the common people, and with their language and literature, and with their social and economic conditions". The two concluding essays however upon A Roman Politician, Gaius Scribonius Curio, and upon Gaius Matius, a Friend of Caesar, have very little relation to the rest of the work, and might well have been reserved for some other volume which the gifted author will some day, doubtless, publish.

The other essays have a greater cohesion and a very peculiar value. Indeed there are no other discussions—of similar scope—upon some of the topics, at least in the English language. If Professor Abbott has not yet mustered the courage to attempt the long-desired history of the Roman Empire, he has at least performed the important task of assembling (here and in his other writings) a fair amount of the preliminary material which is essential to the performance of the greater undertaking. It is useless of course to expect close continuity of subject in the present essays. Among the most valuable topics treated, are How Latin became the Language of the World and The Latin of the Common People. The first named discussion of how Latin achieved that dominion as a literary language which it retained almost

down to modern times, will prove of interest to very many beside specialists. The second attacks a highly obscure and difficult subject and makes it distinctly significant to readers whose bent is for history rather than for philology. In the third essay, *The Poetry of the Common People*, a large quantity of inscriptional evidence is brought together, but one cannot resist the feeling that sometimes the author has made his metrical translations jingle, by reading into them some turns of thought which were not quite in the original. It is well to point out how modern was the life of the Empire, but it seems hardly needful to render, "Here for a *cent* is a drink" (p. 111).

Possibly the most important of the remaining essays is that on Diocletian's Edict and the Cost of Living. Professor Abbott has performed a real service in placing before English readers the substance of the Edict of Prices, and he pertinently calls attention to the "muck-raking" tone of the long preamble (p. 154). It is a fair question however whether a real mistake has not been made in presenting the values fixed by Diocletian solely in the terms of American money. The monetary system of Rome about 300 A. D. was still in such confusion, despite efforts to reform, that over-precise computations in terms of modern money become extremely hazardous. Everything considered, these essays are worthy of an honored place in the library of every scholar.

WILLIAM STEARNS DAVIS.

The Women of the Caesars. By Guglielmo Ferrero. (New York, The Century Company, 1911, pp. x, 337.) This is a book which on account of its popular style of presentation and the fame of its author is bound to have wide circulation. The six chapters, which appeared originally in the *Century Magazine*, are studies of Women and Marriage in Ancient Rome, Livia and Julia, and four other distinguished ladies of the Imperial period, the most important discussions being reserved for the two Agrippinas.

No one will expect such a book to be after the manner of an erudite contribution to *Hermes*, and the author fulfils the requirement of being "interesting" most admirably. Foot-notes and all critical apparatus are omitted, and if the book simply dealt with well-established facts, restated in a clever and untechnical way, not the least criticism could be offered on this point. Unfortunately however the intense subjectivity characteristic of Signor Ferrero's earlier books follows him hither, and many opinions are boldly laid before the unwary as if they were determined facts, when scholars will at once recognize them as highly debatable. The chapter upon the relations of Livia and Julia states many things which we should be glad to have beyond argument. Signor Ferrero is very sure that Julia the Elder was on the whole a much maligned woman, whose real fault was that she was somewhat out of sympathy with her age. Her immoralities are not denied, but

they receive all the whitewashing of a skilful advocate, and her final downfall is attributed to the malevolence of the party of Tiberius rather than to any iniquity of her own. One may properly ask—is it fair to thrust such a restatement of accepted history upon readers who have no means of checking the author's opinions, and who as a rule have no knowledge that another and more sinister view is frequently taken of Julia's character?

Signor Ferrero will find most scholars agreeing with him in his relatively friendly view of Tiberius. He virtually restates Tarver's arguments, albeit more skilfully and more briefly; but why need we be so sure that the fearful prosecutions for *majestas* were mainly inspired by the honest desire of many senators "of intelligence and character" that "the Emperor [should] not be left defenseless against the wild slanders of the great families" (p. 163)?

Perhaps however the keenest dissent will come over the treatment of the younger Agrippina. That hitherto execrated lady is drawn to us as a high-minded heroine, imbued with the old Roman virtue. She did not murder Claudius. Tacitus only "pretends to know" (p. 296) that she poisoned him. This slander Signor Ferrero airily waves aside. (Of similar statements in Suetonius and Cassius Dio he says nothing.) The unlucky emperor simply "died of a mysterious malady", while his wife's alleged iniquities are accounted for by the general malevolence of Tacitus. That important modern writers from Schiller down to Henderson and von Domaszewski accept the death by poison, troubles Signor Ferrero very little. His Italian intuitions teach him more than any German scholarship.

The book, in short, is interesting and stimulating to scholars who are able to take its opinions at their true value. To others it is no safe guide. Tacitus has his undoubted faults, yet his works will be read in ages that will never remember about the clever author of the volume under discussion.

WILLIAM STEARNS DAVIS.

The Cambridge Modern History. Volume XIII. *Genealogical Tables and Lists and General Index*. (Cambridge, University Press; New York, Macmillan, 1911, pp. 643.) The general scheme of the *Cambridge Modern History* having been brought to a conclusion with volume XII., the present volume is added as a necessary complement to the whole series. The last two-thirds of it consists of a very excellent general index to the whole body of volumes. The first 200 pages contain: first, 112 genealogical tables of ruling and noble houses of Great Britain, France, Germany, and other European and Asiatic states; secondly, 33 lists of popes, spiritual princes, elected sovereigns, presidents of important republics, viceroys, and prime ministers; thirdly, a half-dozen lists of secularized bishoprics, English Parliaments, European universities, and a selection of imperial diets, international congresses and con-

ferences, leagues, and alliances. The genealogies are mostly constructed on simple lines, not extending beyond what is necessary to exhibit the descent of persons actually regnant.

History of German Civilization: a General Survey. By Ernst Richard, Ph.D., Lecturer on the History of German Civilization, Columbia University. (New York, The Macmillan Company, 1911, pp. x, 545.) This book evidently aims at explaining to a foreign public, modern German civilization as a product of national temperament and economic, historic, and other forces. For that purpose, Dr. Richard unrolls the panorama of the entire national evolution, from Germanic origins through the violent vicissitudes of German history, to the present time. The struggles between pope and emperor; the conflicts between northern and southern Germany as emphasized by religious differences; the introduction of Roman law; the deterioration of national character caused by the Thirty Years' War; the pettiness bred by the existence of hundreds of small courts; all these have precipitated problems of a most serious nature into modern Germany. Dr. Richard is especially happy in his characterization of inherent German traits: force to the point of violence; depth of feeling (*Gemüt*); love of enterprise (*Wanderlust*); and—most significant—a marked tendency to lay stress on content. This temperament he follows up through the ages, showing how it appears, in the accentuation of the root-syllable of the word without regard to euphony; later, in the national character of German monasticism; during the sixteenth century, in the attitude towards the Roman Church; during the eighteenth, in the development of German music, in the personality of Kant, and the rise and spread of German idealism; during the nineteenth century, in the character of Bismarck.

The book gathers vigor and vitality as it proceeds, the excellent chapters on the sixteenth century and on Luther being distanced by those on Frederick the Great and on Kant. That portion in which the writer shows that the modern empire rests on a strong sense of national unity, and a happy blending of practical and idealistic tendencies, forms the keystone of the whole book.

The following remarks are meant not as criticisms, but as suggestions. The centrifugal tendencies of the German character are not sufficiently explained as partly the result of geographical conditions. A country whose eastern contingent lies open to Slavic influences, the western to French, the northern to English and Scandinavian, and the southern to Italian, would naturally find it difficult to develop a homogeneous national ideal. The resultant "particularism" which the author so often justly scores, has, however, more than he admits, certain advantageous qualities. So, for instance, the small courts, with all their faults, mean, for modern Germany, a healthy decentralization of cultural life. The treatment of the Romantic School fails to do justice to that remarkable group. In spite of faults, the German Romanticists

enormously contributed to the wealth and depth of culture, and carried German influence into France and England. The whole Ruskin movement, for instance, goes back, in last analysis, to their art-tenets. The good summary, *Non-political Currents during the Nineteenth Century*, would gain in vividness, if, from the great mass of names, three were brought out in bolder relief: Hebbel, as the originator of a new and essentially modern conception of tragedy based on the idea of evolution; Wagner, as the creator of the modern musical drama; and Nietzsche, as a potent force in the spread of a positive view of life (*Lebensbejahung*), in contrast with Schopenhauer's pessimism (*Lebensverneinung*). It is this positive view which gives modern German life its peculiar flavor, and is reflected in pictorial art and in the novels of Frenssen, Herzog, and others.

We warmly recommend this scholarly and forceful book to that increasing number of persons whose attention is being called to Germany's importance in modern life.

CAMILLO VON KLENZE.

Scotland. By Robert S. Rait, Fellow and Tutor of New College, Oxford. [The Making of the Nations.] (London, Adam and Charles Black, 1911, pp. xii, 320.) Those who are already acquainted with Mr. Rait's work will not find themselves disappointed in their expectations by this admirable book. The task of writing one volume of a series presents the double difficulty of restriction to a limited space, and to a certain line of treatment; but these difficulties have not prevented Mr. Rait from doing an excellent piece of work in *Scotland*. He has made, in our opinion, the right selection of topics; nor is he unsuccessful in his treatment of them. He neither allows his book to break up into a mere series of essays, nor does he make the reader feel that he has distorted the general picture of Scottish development by overinsistence on any one point. The limits of space have compelled him to expound his various subjects with dangerous brevity; but he succeeds in giving them all a living interest, and only here and there does one feel it difficult to see the wood for the trees—notably in chapters I., VI., and X., which, for that reason, are a little difficult to read.

The book will be of great service to those who, for lack of access to larger works, have to read their Scottish history in smaller manuals: for Mr. Rait's sound scholarship enables him to dispel many of the illusions which are so apt to find their way into such books. Particularly do we note this in his work on the War of Independence, and on Covenanted Times—on which books of this size are apt to mislead, because, as a rule, they emphasize attractive tradition to the detriment of solid fact. Thus the writer substitutes for the usual idealized view of Robert the Bruce a picture much saner and nearer the truth—and, while he does not whitewash Charles II., he is not blind to the defects of the Covenanters. And he performs such tasks with a praiseworthy gentleness of touch.

In the space at our disposal fair criticism is not easy. But we would like to say that the last chapter is a little overcrowded, and seems to betray certain special interests of the author. He says at page 303, "The real interest of the period between the suppression of the Forty-five and the outbreak of the French Revolution lies in the literary life of the country." Yet after only a few lines on this head, he passes from it with, "The intellectual revival could not fail to lead to demands for a great constitutional advance." And he confines his remarks on the growth of modern Scottish industry to two sentences and the statement (p. 307), "The transference of national interests from religious controversy to commercial progress which marked the eighteenth century has never been complete." But these things may well be due to lack of space—indeed, in the second instance, Mr. Rait justifies himself by that plea. In the quotation on page 101 "only" should surely be "ony", and on page 304, "1793" should take the place of "1773".

The book is well got up, and excellently illustrated—but the maps, with the exception of the plan of Edinburgh, are not quite so good.

JOHN DALL.

L'Abbaye de Saint-Martin de Troarn au Diocèse de Bayeux des Origines au Seizième Siècle. Par R. N. Sauvage. (Caen, 1911, pp. lii, 524.) This excellent monograph is in refreshing contrast to the older type of monastic history, for instead of giving a series of annalistic biographies of abbots, amplified by generous borrowings from the general histories, M. Sauvage has attacked the real problems connected with the work and influence of a medieval monastery. A critical examination of the sources and the history of the abbey's foundation serves as the basis for a study of its relations to lay and ecclesiastical authority, its inner administration, and its economic development, followed in the appendix by an account of the liturgy and the conventual buildings. The bibliographical apparatus is especially full and careful, and there is a substantial body of original documents. Chief attention is given to the economic side of the monastery's life, as seen in the growth and administration of its estates, the management of its capital, and its part in the agricultural exploitation of the lower valley of the Dive and the marshes of the coast. This emphasis is well chosen, for at no time during the seven centuries of its history does Troarn seem to have been a notable moral or intellectual force, whereas its economic rôle was important and the materials for its study are fairly abundant. A monograph of this type is especially to be welcomed, since comparatively little has been done in the field of Norman economic history since the publication of the classical studies of Delisle more than sixty years ago, and there is need for applying to other religious establishments the sobriety, patience, and critical judgment which M. Sauvage has here shown.

C. H. H.

Les Communes Françaises à l'Époque des Capétiens Directs. Par Achille Luchaire, Membre de l'Institut. Nouvelle édition revue et augmentée d'une introduction par Louis Halphen. (Paris, Hachette et Cie., 1911, pp. xvi, 299.) M. Luchaire devoted his lectures at the Sorbonne in 1888-1889 to the communal movement in France. Shortly afterward he assembled substantially the same matter in book form. Thus arose first the work now before us in a new edition.

In the published as in the spoken form it was addressed to a rather general public. To set out in its general traits, after the most recent works, the organization of the sworn commune of the north of France—the most complete and clear-cut type of independent municipality; to show what place it occupied in the society of the time; to study its relations with the lay feudality, the Church, and the king; with no other ambition than to present, in order and clearly, without the apparatus of erudition, for the advantage of students who are curious as to history and learning but have not the time to collect and read the publications of savants—to present thus a subject rarely treated in *ensemble* yet appealing to intelligent people: such was the modest aim the author professed in his *avertissement*. To this only two remarks need be added. The statement as to the scope of the work is to be taken seriously. It concerns almost solely the region north of the Loire, and within that only those relatively few communities where independence was gained. Accordingly one should guard against applying too widely or too generally the conclusions set forth. Also, though M. Luchaire wrote “after the most recent works”, he himself knew well the sources on which the science of the subject rested, and put into the book a good deal that was new.

This work, as M. Halphen remarks, remains after over twenty years one of the clearest and most trustworthy syntheses ever made of the history of the French communes. Various slight changes have sufficed to fit it for reappearance: a few suppressions, some corrections of dates and other details, some softenings of too categorical statements, and at places references to recent studies. The editor has however added interest to the new edition by his introduction. Briefly but quite effectively, he points out what course studies in medieval town history have chiefly taken since Giry's time—especially the part of M. Pirenne therein—and shows how these studies have carried forward the answering of some of the problems treated by Luchaire. Thus, with the progress of knowledge concerning the relation between economic renaissance in the eleventh and twelfth centuries and the communal movement, the question of origins of that movement is by no means as hopeless as Luchaire thought it; the question of filiation of communal charters has turned out to be much more complex than it appeared to Luchaire; and additional light has come as to how there arose two quite different sorts of *échevinage*.

It seems probable that advance of knowledge in the next years, as

in the last two decades, will serve less to contradict than to complete what Luchaire* has said. So his work still deserves reading, and in its new form is likely to live yet a considerable time.

E. W. Dow.

Die Hanse und England, von Eduards III. bis auf Heinrichs VIII. Zeit. Von Dr. Friedrich Schulz. [Abhandlungen zur Verkehrs- und Seegeschichte im Auftrage des Hansischen Geschichtsvereins herausgegeben von Dietrich Schäfer. Band V.] (Berlin, Karl Curtius, 1911, pp. xv, 195.) This is one of a number of valuable historical studies due to Germany's recent development of commercial and naval ambitions. The closing paragraph, in which it is argued that the final victory of the English merchants over the Germans of the Hanse in the sixteenth century was due not to any superior ability of the English merchants but to the greater support given by their government, is plainly an argument for government support of modern German commerce. But there is no evidence of distortion of the narrative due to such a thesis. There is such a tradition of scientific accuracy and scholarly thoroughness existent in Germany that even a marked economic and political tendency may leave a work of historical importance unharmed.

The interesting field of the relations between England and the Hanseatic League bids fair to be well worked, though so far entirely by Germans. Five serious and somewhat extended works on one or other period or phase of the subject, by Keutgen, Schanz, Daenell, Ehrenberg, and Schulz, besides shorter studies by Stein, Kunze, and Pauli, have been published, but so far there is nothing of importance in English. This latest German work recounts the successive disputes, negotiations, wars, and treaties, which characterized the troubled relations between the traders from the Baltic and West German cities and the English government. The special privileges of the Hansards in England date from the *carta mercatoria* of 1303. Although this was granted to all foreign merchants coming to England to trade, the Hanse merchants alone retained its advantages. They retained them, however, only with the greatest difficulty. After a time of relative equilibrium under the three Edwards, the imposition of special taxes by the English government, the efforts of English traders to intrude upon what the Hanseatic merchants considered their own commercial dominion, piracy, local oppressions, and all the acts of retaliation, opposition, and violence to which these occurrences gave rise, left but few long periods of undisturbed trading or political relations. Dr. Schulz's narrative closes with the attack of Wolsey on the Hanseatic privileges between 1517 and 1522. The remaining fifty years of Hanseatic activity in England, down to 1579, when Elizabeth reduced the position of the German merchants to an equality with that of all other foreigners, is left untouched. In the narrative portion of the work as

well as in the concluding chapter describing the organization of the Steelyard at London and the settlements in other English cities, the author relies, practically, entirely on German sources. Inadequate as the English documents are they would have added in several places to the fullness and clearness of the work. As it stands, however, this is the best existing treatment of its subject.

E. P. CHEYNEY.

Registres du Conseil de Genève. Publiés par la Société d'Histoire et d'Archéologie de Genève. Tome III. Du 11 Février 1477 au 4 Février 1487 (Volumes 8 à 10). (Genève, Kündig, 1911, pp. x, 637.) The *Registra* record chiefly the transactions of the *consilium ordinarium* in its biweekly sessions. These records, contrary to the opinion of Roget, show that the council co-operated with the bishop in negotiating the first alliance of Geneva with Bern and Freiburg, 1477. Geneva was suffering from financial difficulties entailed by the ransom imposed after the wars of Charles the Bold and demanded by the Swiss adventurers, and from the strife of three candidates for the bishopric.

Attempts to regulate prices (even with the added wisdom of ecclesiastical councils) reveal overcharging, unwillingness to sell by weight, petitions for higher prices, modifications of rates, exceptions, proclamations, threats of prosecution, and the sending of recalcitrants to the bishop. Beef was usually three *denarii* a pound, mutton five. Pork in 1477 was twice the price of beef. Legislation regarding taverns indicates that these were in the hands of "ecclesiastici, canonici, curati, et eciam doctores et jurisperiti".

Of the *consilium generale* there were an average of nearly five sessions annually. One records the numbers present as over 1,000. No business was proposed at this session because of the insult offered to the syndics by the *populares* through their assertion that the syndics planned to levy taxes, and through their action in ejecting the guards from the cloister. Another popular uprising of a "great multitude of the people" recalled two syndics and confirmed two others, one of the latter, a smooth fellow named Emericus, elected for a third term. In 1484 it was provided that the council of fifty, hitherto elected by the little council, should be chosen, two members by each of the twenty-five districts (*disenae*) of the city.

The 100-page index continues the improvement in fullness and logical classification noted in the second volume and, with the brief but illuminating notes, adds greatly to the value, which is such as was to be expected of the society and editors responsible for this scholarly work.

HERBERT DARLING FOSTER.

Commentaires de Blaise de Monluc, Maréchal de France. Édition critique publiée et annotée par Paul Courteault, Professeur à la Faculté des Lettres de l'Université de Bordeaux. Volume II., 1521-

1553. (Paris, Alphonse Picard et Fils, 1911, pp. 421.) M. Courteault has already begun to follow up a suggestion which he made in the closing pages of his brilliant critical study of the *Commentaires* of Blaise de Monluc which appeared in 1908 and was noticed on pages 119-120 of volume XIV. of this journal. The present volume gives us the first instalment of a new and undoubtedly definitive edition of that work—covering the years 1521-1553. It reveals the same painstaking and accurate scholarship which was displayed in M. Courteault's previous critical study of the *Commentaires* and biography of Monluc (cf. AMERICAN HISTORICAL REVIEW, XIV. 848-849). It makes a very considerable advance over the hitherto standard edition of the *Commentaires* published by the Baron de Ruble in 1864-1867 for the Société de l'Histoire de France.

The various editions of the *Commentaires* which appeared previous to that of de Ruble are virtually reimpressions (not always exact) of the first one, put forth in 1592 by Florimond de Raemon, counsellor of the Parlement de Bordeaux. In this, much of the original manuscript was changed, and more was suppressed, owing to the caution of the editor, who did not wish to be held responsible for the publication of Monluc's sometimes too frank expressions of opinion on living men and current events. De Ruble, however, discovered two manuscript copies of the *Commentaires* in the Bibliothèque Nationale, the one complete, the other disfigured by the loss of a number of pages at the end—both of which were dictated by Monluc before the one from which Florimond de Raemon's edition was printed: the first, in fact, was almost certainly composed between November, 1570, and June, 1571. These two manuscripts differ considerably from one another; the second, as far as it goes, is a partial revision of the first. They both differ yet more from the one used by Florimond de Raemon; they stop five years earlier; they contain much which the late manuscript omits and vice versa; their style is far less finished and correct, and they reveal to the full the author's anger at his recent dismissal from his post of lieutenant of Guienne, while the later revision adopts a far more philosophical tone. De Ruble's edition is a sort of amalgamation of the edition of Florimond de Raemon as reproduced by Buchon, and of these two manuscripts. It omits nothing, but it is so arranged that it is quite impossible to determine which parts have been taken from one source and which from another. M. Courteault, on the other hand, has adopted as a basis for the present edition that of Florimond de Raemon; but he also inserts, at the bottom of the pages, the variants of the two manuscripts, so as to indicate the different stages through which the work passed; he identifies in foot-notes, moreover, in so far as possible, the names of obscure persons and places. Seldom has it been the good fortune of a modern scholar to make the career and writings of an earlier historian as completely his own as has M. Courteault with

Blaise de Monluc. The work which he has accomplished will not have to be done over again.

ROGER BIGELOW MERRIMAN.

Touring in 1600: a Study in the Development of Travel as a Means of Education. By E. S. Bates. (Boston and New York, Houghton Mifflin Company, 1911, pp. xiv, 418.) The author of this book finds "any statement of objective fact" to be impracticable "in connection with such a subject as this" and aims "merely at approximate subjective accuracy; to study, that is, the psychology of the subject" (p. 391). Whatever he may mean by this, he is clearly not quite certain that he has achieved his purpose. "Students", he adds, "are requested to hear this statement with the ear of faith, remembering that all such attempts have to be heavily peptonized if expenses are to be paid." In this age of unfaith, the average student will probably find that the volume before us smacks much more of pepsin than of psychology. It is, indeed, little more than a collection of interesting anecdotes of travel extracted from the narratives of sixteenth and seventeenth-century travellers, and grouped under chapters on Tourists, on Guide Books, on Inns, on The Purse, and so forth. The author hardly pretends to criticize the tales which he repeats, and often leaves us wondering whether we can safely take his genial wayfarers at their word. Objective facts cannot altogether be dispensed with, even if one aims "merely at approximate subjective accuracy". Occasionally the author ventures a generalization, but not always with success. Cartographers, for instance, will probably resent his curt summary of sixteenth-century map-making. "As for sixteenth-century maps, they seem meant for gifts rather to an enemy than to a friend" (p. 52). The foot-notes reveal a wide acquaintance with the contemporary literature of travel in Europe. Students will be grateful to the author for bringing to light passages from many narratives not easily accessible. The bibliography contains a partial list of sources with useful critical notes. The book is unusually well printed, and the illustrations include good copies of many appropriate contemporary pictures not heretofore reproduced.

CONYERS READ.

Municipal Origins: an Account of English Private Bill Legislation relating to Local Government, 1740-1835; with a Chapter on Private Bill Procedure. By Frederick H. Spencer, LL.B., Lecturer on Economics and the British Constitution at the City of London College. With a Preface by Sir Edward Clarke, K.C. [Studies, London School of Economics and Political Science.] (London, Constable and Company, 1911, pp. xi, 333.) This work is in part a result of the author's association with the Webbs, whom he assisted in procuring material for the study of English local government. As a piece of research the work

has been done with great fidelity; and despite its leanings to the more technical side of political science, it may well claim attention from any student of the eighteenth century. The period covered lies between 1740 and 1835; and the investigation necessitated a long perusal of vestry records for these years, and a critical examination of legislative procedure and of the private bill legislation bearing upon the institution of urban services in town areas. But that does not confine the author exclusively within the field of municipal government. In the concluding chapter he takes a broader sweep of the subject in a clear summing up of the eighteenth-century tendency towards what is happily termed "urbanisation", and in a discussion of the very curious light this tendency throws upon the adjustment of law and the legislative process to the urban movement, with its treatment at first empirical, but requiring in the end a more or less comprehensive theory, characteristic of the Liberal tradition after 1832.

It is difficult to refrain from suggesting that the eighteenth century has been thrown somewhat out of perspective by the fact that the material most easily procurable for its study bears so exclusively upon the governing classes. Monographs like this reveal for the period an undercurrent of English political life which, as Mr. Spencer's researches show, well repays investigation.

C. E. FRYER.

Le Mouvement Physiocratique en France de 1756 à 1770. Par Georges Weulersse, Professeur au Lycée Carnot, Docteur ès Lettres. In two volumes. (Paris, Félix Alcan, 1910, pp. xxxiv, 617; 768.) Historians no less than economists have for many years lamented the absence of any adequate study of the Physiocratic school and its doctrines. As in the case of the Mercantilists, the dicta of Adam Smith's superficial and unsympathetic estimate exerted a benumbing influence upon succeeding opinion. Whatever mischief Adam Smith may have left undone in this direction, was completed by the exaggerated claims of French apologetes and the sweeping phrases of McCulloch's depreciation. In 1847 Daire's reprint made available certain inaccessible texts, and supplied a reasonably intelligent editorial apparatus. But the stock histories—Twiss, Blanqui, Ingram—continued to mumble the old commonplaces.

It has only been in the present generation—in belated train of the historical movement in economic study, and with the revivals of interest in the history of economic doctrines—that the *Économistes* have come into their own. Lavergne's series of sketches, Stern's essay on Mirabeau, Higgs's interpretation of Cantillon, Schelle's monograph on Dupont, Hasbach's study of philosophic origins, Oncken's monumental edition of Quesnay, Bauer's productive inquiries in many directions—all appeared in comparatively quick succession. The movement culminated with a certain dramatic effectiveness in Dr. Bauer's rediscovery in the

papers of the elder Mirabeau in the Archives Nationales of an original copy of the 1759 edition of the *Tableau Oeconomique* with Quesnay's manuscript notes, and in its facsimile reproduction by the British Economic Association in 1894 to mark the bicentenary year of Quesnay's birth.

With such momentum it would have been safe to anticipate the appearance, sooner or later, of an adequate study of the school and its tenets. Higgs's *Six Lectures* whetted the appetite, and even aroused expectation of a larger work from this accomplished scholar. But other duties intervened, and it has been left to M. Weulersse to render the long-awaited service.

The event has completely justified the delay. Since Roscher's prime, economic *Dogmengeschichte* has been enriched by no more satisfying contribution than the two stout volumes in which M. Weulersse has traced the origin, growth, and influence of the school from its earliest beginnings to the last year of Choiseul's ministry. He has done this with a fidelity of scholarship, a maturity of judgment, and a facility of presentation that make of the work a notable contribution. For the period beyond 1770 M. Weulersse announces that he has already outlined his plan and assembled the materials. If the volumes to come be executed in the same manner as have those before us—and there is every reason for believing that they will be—at least one chapter in the history of economic thought will have found definitive interpretation.

JACOB H. HOLLANDER.

Sea Kings of Britain: Keppel to Nelson. By G. A. R. Callender, B.A., Royal Naval College, Osborne. (London, New York, Bombay, and Calcutta, Longmans, Green, and Company, 1911, pp. viii, 367.) This is the last in a series of three volumes by the same author containing brief sketches of the lives of British naval heroes from Hawkins to Nelson. Keppel, Rodney, Howe, and Duncan are each allotted a chapter in this final volume, but more than two-fifths of its space is given to Nelson. Mr. Callender seems to have written his book primarily for the purpose of inspiring embryo British sea-captains to emulate the deeds of the admirals who contributed to make their nation the mistress of the seas. At any rate it is manifest that he has not addressed it to serious students of history. He confines himself strictly to the task of narrating the services which his characters rendered their country on the sea, and a large part of his space is given up to a detailed description of battles. Owing to this fact, in spite of the author's labored attempt to be terse and dramatic in his descriptions, a reader not well versed in naval history finds it a little difficult to follow him in his numerous references to the names of vessels and his familiar use of nautical terms. Nowhere do we find citations to the authorities which the author has used, which is, perhaps, a pardonable omission in so brief a work. But neither does Mr. Cal-

lender offer the least bibliographical help to a reader desiring to pursue further his study of British naval history or naval heroes. This would seem to be a more serious omission, especially since some of the author's statements are clearly open to question. As critical biography, even of an elementary sort, Mr. Callender's book scarcely deserves consideration; but as a manual for young Britons who are interested in the great deeds of the naval heroes of their country it may have a certain value.

WILLIAM THOMAS LAPRADE.

Despatches from Paris, 1784-1790. Selected and edited from the Foreign Office Correspondence by Oscar Browning, M.A. Volume II., 1788-1790. [Camden Third Series, vol. XIX.] (London, The Royal Historical Society, 1910, pp. x, 337.) This is the second volume of correspondence edited by Mr. Browning (for the review of the first volume see the AMERICAN HISTORICAL REVIEW, XV. 410), covering the despatches of Dorset, Hailes, and Fitz-Gerald, written at Paris during the years 1789 and 1790. Thus it forms a connection between that first volume and the letters of Gower (published in 1885), which begin in June, 1790. The present volume contains one hundred and twenty-five letters written, for the most part, by Dorset and his successor Fitz-Gerald. About a dozen of the letters written in 1788 are by Hailes; Eden has one (September 3, 1789) and Jenkinson two (September 10, 17, 1789). There are no letters for August, 1789. Fitz-Gerald's letters begin October 7, 1789, and go to June 18, 1790. It is unfortunate that all the letters for these years could not have been written by Hailes, who was really what Mr. Browning calls him, "one of the most competent and far-sighted diplomats of the eighteenth century, one of the few men who realized the importance and predicted the results of the momentous events which preceded the Revolution". He had been sent to Poland. Fitz-Gerald was of about the same mental calibre as Dorset and wrote despatches of about the same length, and of the same mediocre quality that characterized the letters of his predecessor. All of the despatches are not printed *in toto*; marks of omission are frequent. In comparing this volume with its predecessor (see the REVIEW, XV. 410) we are struck with the paucity of information on diplomatic affairs. Both in quantity and quality, the despatches of Dorset and Fitz-Gerald rank below those of the ambassadors of Venice, of Saxony, of Austria, and even of Parma. Mr. Browning lays stress on the value of the despatches as sources for the history of the diplomatic relations between France and England during these years, but even a rapid reading shows that their value is to be found rather in the information they contain upon the internal affairs of France. What better proof could be asked of the fact that the Revolution had deprived France for the time being of her influence in foreign affairs than this series of letters from Paris written by the

English ambassadors? In the earlier volume, whole letters were devoted to international relations with only a paragraph or two on French domestic affairs. As the Revolution progressed, the proportion changed until, in 1789, foreign affairs had fallen completely out of sight, or—more correctly speaking—the Revolution had become the most absorbing of foreign affairs. Here, then, is one more contemporary account, helpful in establishing the facts of the Revolution. Much of the information is evidently second-hand, but even then it is usually drawn from a good source and helps to clear up matters that before were uncertain. The student of the struggle between the king and the parliaments in 1787 and 1788 will find it worth his while to examine carefully these despatches. While no one letter contains an illuminating exposé of the situation, such as characterized the letters of Hailes in the first volume, the sum total of the gleanings from all the letters is considerable, sufficient to well repay the search. The introduction, omitted from the first volume on account of the illness of Mr. Browning, appears in the second. The most important statement it contains is the reference to the unpublished letters of Hailes, written from Poland and relating to the third partition. The work of the editor in this volume consists of an index and a few foot-notes. All students of the French Revolution are under obligations to Mr. Browning for having these despatches copied and for urging their publication until he found somebody wise enough to listen to him.

FRED MORROW FLING.

L'Église de Paris et la Révolution. Par P. Pisani, Chanoine de Notre-Dame de Paris, Docteur ès-Lettres, Professeur à l'Institut Catholique de Paris. Volume IV., 1799–1802. (Paris, Alphonse Picard et Fils, 1911, pp. 461.) This is the last of the four volumes devoted by the Abbé Pisani to what he insists on calling the history of "the Church of Paris" during the Revolution. In fact the bulk of the work is devoted to a much larger and more vital subject, namely the gradual reconciliation of the State and the Church and the negotiations that were to pave the way for the Concordat.

The first two chapters describe the more liberal régime ushered in by the 18 Brumaire: ecclesiastical prisoners are released, 30,000 priests return from exile under cover of the law in favor of the émigrés, churches closed by the Directoire are reopened. But even Bonaparte had to go slowly; two obstacles are in the way of complete pacification: the opposition of the uncompromising royalists who refuse the new oath of allegiance and the hostility of numerous state officials who have kept their anti-Catholic feelings. The victory of Marengo, June 14, 1800, marks however the turning-point in the religious policy of the Consulate. On that occasion the two clergies celebrated a separate Te Deum, one at Notre-Dame, the other at St. Roch, thus emphasizing the gap still existing in the Church. At that very time Bonaparte, on his

way to Paris, was making the first overtures to put an end to the schism. The message which he sent to Rome reached Pius VII., July 3, 1800. A secret representative of the Vatican arrived in Paris, November 5. The following September the Concordat was signed. It had been a long and difficult negotiation, with several interruptions, during which Bonaparte threatened once to become a Protestant. The fight was waged around two main points. The government insisted on the right to ask the resignation of all the bishops and to appoint the new ones. The pope, on the other hand, wrested from the Consuls a statement that they were Catholics and that the majority of the French nation were so, likewise. It was a compromise which had the great advantage of establishing a hundred years' truce which was to come to an end only in 1905.

This first part of the work of M. Pisani, interesting and readable though it is, covers familiar ground and adds hardly anything to the books of Boulay de la Meurthe, Mathieu, and Aulard. The second part has the advantage of treating a subject of a more contentious nature, namely the attitude of the Constitutional Clergy before and after the Concordat. Here the orthodoxy of our author is forced to yield to the honesty, if not the impartiality of the historian. Obligated to censure the "pride" and "revolt" of the Gallicans and Constitutionals he nevertheless praises their sincerity and his chapter on the last council of 1801 is an interesting effort to conciliate conflicting duties, with the result that truth triumphs in the end; and credit is given to the stubborn conscience of Grégoire's followers.

The students of the religious problems of the Revolution will find these four volumes of Abbé Pisani useful, entertaining, and lively. If, however, the work does not seem to answer, in all respects, the requirements of serene and unprejudiced scholarship the reader must make allowance for the handicap of an historian who has to submit the results of his investigations to the "Nihil obstat" of "Alfred Baudrillart, V. G. Rect." and the "Imprimatur" of "Leo Adolphus, Arch. Paris."

O. G.

Un Héros de la Grande-Armée, Jean-Gaspard Hulot de Collart, Officier Supérieur d'Artillerie (1780-1854). Par le Vicomte du Motey, Lauréat de l'Institut. (Paris, Alphonse Picard et Fils, 1911, pp. xiv, 585.) The subject of this biography was a younger brother of General Jacques-Louis, Baron Hulot (1773-1843), the author of *Souvenirs Militaires* (Paris, 1886), and a relative of two other Napoleonic generals of the name. The volume is made up of letters of the two brothers and other documents, private and official, with enough text to cement them together. The foot-notes are abundant and excellent, containing a wealth of biographical information gleaned from many sources. A map, portraits, appendixes, and an index recommend the book. Occa-

sional misprints and a few obvious misstatements of facts of general history, as on pages 17 and 273, unfortunately appear.

Gaspard Hulot completed the course at the École Polytechnique and entered regular service as second lieutenant of artillery in 1800. He served under Angereau in Southern Germany, Marmont in Dalmatia, and Junot in Portugal; was captured during the revolt at Oporto and imprisoned on a hulk at Corunna for seven months; assisted in the defense of Tuy on the Portuguese frontier; was invalided for several months and then given a quiet berth in the arsenal of Liège, before he saw his first big campaign in 1812. One of the few survivors of the retreat from Moscow, he participated in the various operations in Germany during 1813 and commanded the artillery in the defense of Thionville in 1814. During the Hundred Days he was on artillery detail at Valenciennes, and later at Bourges, Cherbourg, and Douai. He made the Spanish campaign of 1823 and from 1825 to 1830 was director of artillery in Martinique. After the Revolution of 1830, he was allowed to retire with the rank of lieutenant-colonel. He died in 1854 in his native town of Charleville. The volume is a careful and commendable effort to recount the life of a worthy and commendable officer who, like hundreds of others, served long and faithfully without winning promotion or renown.

GEORGE MATTHEW DUTCHER.

Correspondance du Comte de la Forest, Ambassadeur de France en Espagne, 1808-1813. Publiée pour la Société d'Histoire Contemporaine, par Geoffroy de Grandmaison. Tome V., Avril-Décembre, 1811. (Paris, Picard et Fils, 1911, pp. 427.) The four preceding volumes of this correspondence have already been reviewed in this journal. The volume now before us covers the period from April to December, 1811. It opens with the announcement of the birth of the King of Rome and of the elaborate official ceremonies of King Joseph, the French ambassador, and the city of Madrid in honor of that event. Forest continues to show his profound respect for the niceties of etiquette, his lively sense of their importance. Details, dear to the diplomat, as to how he was received at Court, where he sat at table, what guards saluted him as he came and went, are recorded fully and with evident appreciation. The ambassador notes that the people, who were pre-vaillingly superstitious, regarded the birth of a Napoleonic heir as indicative of God's favor to Napoleon, presaging the success of his Spanish adventure. Joseph seized the long-desired opportunity to leave his precarious kingdom in order to attend the baptism of the prince in Paris, but really to secure from Napoleon promises of aid sufficient to enable him to maintain his throne. The people believed he was leaving Spain with no thought of return, tired of his inglorious *métier* of phantom king. Forest took occasion to suggest to the emperor's ministers that the universal desire of the Spaniards was that Napoleon

himself assume the crown, that thus peace would be brought about and the independence and integrity of their sorely visited country be preserved.

During the two months' absence of the king, the Council of State, left in the lurch, lived in a kind of void in Madrid. Upon his return with fair promises of support from the imperial brother, the outlook became brighter, only to darken when the necessary aid was not actually furnished.

It is a sombre picture that is painted in these pages of a country in disintegration, cruelly harassed by taxation and by predatory bands of brigands, devastated by foreign armies led by rapacious generals, and of a royal government defied by French generals, its authority almost limited to Madrid, and its sovereign virtually forced to pawn his few diamonds in order to get a little ready cash with which to meet his daily needs. And, to make confusion worse confounded and to sharpen the impression of an impending doom, rumors of troubles with Russia began to spread. It is no wonder that Joseph expressed the misery of his position to Napoleon in a remarkable interview with Forest which the latter reported in full to his master on December 23 (pp. 377-387).

CHARLES DOWNER HAZEN.

The Precursors of Jacques Cartier, 1497-1534: a Collection of Documents relating to the Early History of the Dominion of Canada. Edited by H. P. Biggar, B.Litt. [Publications of the Canadian Archives, no. 5.] (Ottawa, Government Printing Bureau, 1911, pp. 213.) Mr. Biggar has undertaken in this publication to bring together the chief manuscript sources of the earliest history of the Dominion of Canada. He gives us, therefore, what in college circles would be commonly designated a "source book" covering the period from 1497 to 1534. None of the sixty-four documents printed are newly found, and the majority, as is stated, have already appeared in print. We have here their first grouping. The work of editing has been carefully done, and the claim is made that in every case the translations are new. The documents being neither numerous nor lengthy, the editor has wisely chosen to print each in the original language, Latin, Spanish, Portuguese, Italian, French, or English, to which is added a free English rendering of all save those in French. In an introduction of twenty-five pages, the editor gives a running comment on the course of discovery and exploration in the region under consideration, checking most of the statements by reference to one or more of the documents. It is admitted that certain statements are purely conjectural, and must be considered as nothing more than working hypotheses. It may be well here to note that the statement concerning Cabot's coming to England in 1484 "filled with this idea" (of finding an ocean course westward to Asia) is not well authenticated. Space will not permit a special reference to even the more important of these documents. All that

are known have been brought together by Mr. Biggar. There is an appendix of printed sources including map reproductions.

E. L. S.

Diary of Cotton Mather, 1709-1724. [Massachusetts Historical Society Collections, seventh series, vol. VIII., edited by Worthington C. Ford.] (Boston, the Society, 1912, pp. xiii, 860.) This is the second volume of Cotton Mather's diary (see above, p. 193). As a record of the author's good deeds and pious exercises it can only be described as the prayer of the Pharisee in the Gospels extended through 860 pages of print. The usual heading of the entries is the symbol "G. D.", meaning "good devised". It is fair to say that a large part of the good devised seems actually to have been accomplished by the indefatigable doctor, though at the same time he continues, with an almost convincing iteration, to represent himself as the basest of sinners. A good deal of information about his books and about manners in Boston, and especially about the agitation respecting inoculation for the smallpox, may be incidentally obtained from the volume. The best aspect of the diary is its exhibition of the doctor in his relations to his family, as a most affectionate father, and a most patient husband of a *difficile* (third) wife. Besides the diary a hundred letters, 1709-1727, are printed, mostly more substantial material for history than the journal itself. A reproduction of Captain John Bonner's map of Boston in 1722 is prefixed to the volume.

Massachusetts Historical Society Proceedings, October, 1910-June, 1911. Volume XLIV. (Boston, the Society, 1911, pp. xvi, 787.) To this unusually large volume of the society's *Proceedings* the chief contributor of text is the president, Mr. Charles Francis Adams, from whom come articles on the Campaign of 1777, on Contemporary Opinion of the Howes, on the Canal Zone—something like a fifth of the volume and all interesting matter. Mr. Worthington Ford, the editor of the volume, supplies a valuable article relating to certain pamphlets of Israel Mauduit, but his hand may also be seen in the laudable tendency, shown here as in other recent volumes, to come down into the period subsequent to the Revolution and print materials of nineteenth-century history. Thus the volume has letters of much political interest written by Jonathan Russell to Clay and John Quincy Adams in October, 1815, a body of documents on the trial of Anthony Burns in 1854, and a nearly contemporary account of the last blockade run of the *Sumter* by its commander, Captain Reid. Professor Channing has a valuable paper on Commerce during the Revolutionary Period, Mr. Brooks Adams a history of the Convention of 1800 with France, and Mr. Andrew McFarland Davis one on the Charitable Corporation of London.

Publications of the Colonial Society of Massachusetts, volume XIII., *Transactions*, 1910-1911. (Boston, 1912, the Society, pp. xix, 509.)

In this volume Professor George L. Kittredge has a paper on Rev. George Stirk, minister of the Church of England in Bermuda from 1622 to 1637, accompanied by some documents of interest to students of New England history. Mr. Albert Matthews has a paper on Sir Matthew Holworthy, benefactor of Harvard College, and Lady Holworthy. Mr. Horace E. Ware continues his useful notes on the magnetic aspects of early New England maps. There are also in the volume various documents and minor communications of some interest. But its most important element, occupying 169 pages, is a body of letters of Dennys De Berdt, communicated by Mr. Albert Matthews. The original nucleus of this collection of letters was a letter-book of De Berdt, 1765-1770, preserved in the Library of Congress, but Mr. Matthews has added to them a considerable number of other letters of De Berdt, 1757-1770, found in the Massachusetts archives, in the library of the Massachusetts Historical Society, in that of Dartmouth College, and in that of the Earl of Dartmouth. The letters are prefaced with a careful biographical sketch of De Berdt. Taken all together, they make a decidedly interesting and valuable contribution to our knowledge of the relations between Massachusetts and Great Britain in the years named, and of the activities of a colonial agent. The volume is well printed, and its plates are exceedingly well executed.

American Prisoners of the Revolution. By Danske Dandridge. (Charlottesville, Virginia, The Michie Company, 1911, pp. ix, 512.) This volume consists of a collection of a large number of original accounts of the sufferings of American prisoners of war in British prisons, prison ships, or guarded enclosures, and is one long, lingering crucifixion of British charity, humanity, and decency during the Revolutionary War. The original narratives are all "out of print, very scarce and hard to obtain", and the author "feels justified in reprinting them in this collection". We seriously doubt the wisdom of making such material more accessible than it was before the appearance of this book. Historical investigators could find all such material needful to study that feature of the struggle, and popular collections of such literary horrors will work nothing but evil. It avails little that the author publishes with "no desire to excite animosity against a people whose blood is in our veins", the fact is that many readers have not the cool judgment which will restrain their wrath, when they read such heart-rending tales of human cruelty and savagery as may be found in this volume. Page after page of relentless repetition of stories of starvation, disease, torture, inhuman revenge, and fiendish cruelty, cannot be reasonably published "for the sake of the martyrs of the prisons themselves". It is not excused because "we are in danger of forgetting the sacrifice they made of their fresh young lives in the service of their country".

All of the more famous prisons are portrayed, Columbia College, the

Van Cortlandt Sugar House, Rhinelander's Sugar House, the Liberty Street Sugar House, the North Dutch Church, the Middle Dutch Church, the Friends' Meeting House, the New Jail, and the various prison ships with especial emphasis on the *Jersey*. In the appendix is a list of 800 men who were prisoners on the *Jersey*. Among the diaries and accounts are those of Jonathan Gillett, Jabez Fitch, Ethan Allen, Alexander Graydon, Daniel Bedinger (the editor's grandfather), John Fell, John Blatchford, Andrew Sherburne, Eli Bickford, Dr. Elias Cornelius, Captain Fanning, Captain Birdsall, Ebenezer Fox, Christopher Hawkins, Captain Dring, Captain Alexander Coffin, Captain Roswell Palmer, and even a long poem on the horrors of the prison ship *Scorpion* by the poet Phillip Freneau. Many newspaper accounts are also republished and the letters of Elias Boudinot, Benjamin Franklin, and George Washington concerning the conditions in the prisons are reprinted. With this historical Blue-Beard's closet to draw from, none need want for horrors with which to depict British depravity in the Revolutionary War time.

C. H. VAN TYNE.

The Dutch Republic and the American Revolution. By Friedrich Edler, M. Dipl., Ph.D. [Johns Hopkins University Studies in Historical and Political Science, series XXIX., no. 2.] (Baltimore, The Johns Hopkins Press, 1911, pp. viii, 252.) We have here a very thorough, scholarly study of the subject attacked, but the results are somewhat disappointing. A careful reading discovers only a multitude of new details while the essentials of the subject remain little altered. We know what we knew before, but we know it more fully and more certainly. A digest of the results yields the following essentials. The Dutch viewed the American Revolution favorably since it seemed to have an analogy to their own rebellion from Spanish oppression. American victory meant, they thought, a new source of commerce and wealth. The masses were friendly, but those who controlled politics wished to avoid war, because neutrality was important for Dutch trade. The French tried early to draw the Netherlands away from England, and they found a strong party in their favor. Though the States General issued a proclamation of neutrality, the Dutch traders did not cease to carry munitions of war to French ports, where they were exchanged for American commodities brought in American ships. Vast quantities of powder were thus shipped to America whereon the Dutch realized a profit of 120 per cent. Dutch commerce reached during the American Revolution a height never before attained. When the French attempted to build a navy with which to cope with England's naval power, Dutch ships brought the naval supplies from the northern countries. Repeated protests from England were heeded by the English party, but action was prevented by the French party in the United Provinces. England began at last to search Dutch ships and to seize contraband

goods, and after France allied herself with America, her government began to demand that the Dutch strengthen their navy and resist English aggressions. This the city of Amsterdam wished to do, but on the other hand the English party, stronger in other provinces, wished to strengthen the army, and to give to England the aid she asked in accordance with the terms of the treaty of 1674. Finally England's refusal to abide by the reciprocal terms of the same treaty, which gave the Dutch the benefit of the "free ships free goods" principle, caused the estrangement of the English party, and the French party gained control. When Catherine II. formed the Armed Neutrality to enforce the above principle, the Dutch were eager to enter the neutral league and to secure its protection, while England was quite as determined that this should not be, even assuring Russia that the British would respect the rule if the Dutch were not allowed to enter the league. When the Netherlands was about to succeed, the John Paul Jones affair and the Laurens treaty furnished England a pretext to declare war. This resulted in the ruin of Dutch commerce and a final unfavorable treaty. Thus the Dutch benefactors of France and the United States were, as a reward, the real and only victims of the American Revolution. This began her reduction to a dependent power.

C. H. VAN TYNE.

Américains et Barbaresques (1776-1824). Par E. Dupuy. Avec une préface de M. Arthur Chuquet, Membre de l'Institut. (Paris, R. Roger et F. Chernoviz, 1910, pp. iv, 356.) The concern of this foreign writer in our relations with the Barbary States is due in large measure no doubt to the long-continued interest of France in North Africa, but also to his evident and gratifying sympathy with our efforts to stamp out piracy in the Mediterranean. Nearly a third of the book is devoted to early correspondence, negotiations, and attempts to establish amicable relations with the barbarians. The attention given to this problem by John Paul Jones is brought out more fully than in any of his numerous biographies. A long and very interesting memorandum of Jones is presented, apparently written about 1785 or a little later. It is addressed to the French ministers, Vergennes and Castries, and points out the great advantage that France would derive from the occupation of North Africa, at the same time suppressing the piracy and slavery peculiar to that region. Jones offers his services for such an enterprise in command of a squadron or even of a single frigate. Present conditions in Barbary, as far as French influence extends, would seem to justify his foresight. A good deal of correspondence of French consuls and others in France and in Barbary, relating to American affairs, is also printed. Then comes a chapter on the organization of the United States navy and the voyage of Captain Bainbridge to Constantinople. This is followed by a number of chapters giving a full and satisfactory account of American naval operations in the war with Tripoli, the expedition to

Derne, and the negotiations with Tripoli ending in the treaty of 1805. The last two chapters deal with the war with Algiers in 1815 and the operations and negotiations of the following year, closing with some account of subsequent events down to 1824, with brief mention of the participation of France, England, and other nations in the affairs of Barbary. A few misprints will be found, chiefly in dates and other figures. Oliver H. Perry is confused with his brother, Matthew C. Perry, in being credited with the latter's famous mission to Japan. An appendix containing the treaties between the United States and the Barbary powers, in a condensed form, is followed by a bibliography. There is no index. It is to be hoped that this book will be widely read in France, for it would surely help to maintain a friendly interest towards us among our ancient allies.

G. W. ALLEN.

An Artillery Officer in the Mexican War, 1846-1847: Letters of Robert Anderson, Captain 3rd Artillery, U. S. A. (New York, G. P. Putnam's Sons, 1911, xvi, pp. xvi, 339.) These letters from a captain in what was called the "3rd Artillery" to his wife are so numerous that they practically make a diary. The writer distinguished himself in 1861 as the defender of Fort Sumter, and for that reason their first appeal is a personal one. It is interesting and satisfactory to note that Captain Anderson was a lover of peace, a sincere patriot, a brave and well-qualified soldier, a devoted husband, and a God-fearing man. Though he fully shared the feeling of the regular officers regarding the more or less political appointments of the administration (*e. g.*, p. 333), and in particular saw no justification for the treatment given Scott (*e. g.*, p. 319), and though he warned his wife that as matters were going he could scarcely expect promotion, he appears to have done his duty without regard to personal or professional dissatisfaction. About military operations, the letters do not tell as much as could have been desired. They were written mainly to cheer and entertain a lady who probably took no great interest in the art of war. Captain Anderson had charge of a battery at the siege of Vera Cruz and was on the edge of the battle at Cerro Gordo. He assisted in storming the *tête-de-pont* at Churubusco, and had a prominent part in what he called "the foully murderous tragedy" of Molino del Rey (p. 323). In the latter fight he was severely wounded, and such an account as he was able to give of the battle (pp. 311-313), though valuable, is of less importance than it might have been because the diagram to which it refers is not presented. Regarding the land, the cities, the people, and the daily incidents of army life, and in particular about the long stay at Puebla (pp. 170-280), the letters are full and very interesting. Some new light is thrown on the controversy between Scott and Worth, and noteworthy testimony as to the conduct of the volunteers—coming, as it does, from a regular officer by no means blind to their shortcomings—is frankly given. From Puebla he wrote (p. 208): "Very few acts have been committed, even

by the Volunteers, which have required and received chastisement" (see also p. 272). For reference use it would have been well to indicate the month and year of every letter. A few misprints are to be noted, such as "Avista" for "Arista" (p. 254), "Anton Lizards" for "Anton Lizardo" (p. 65), "Espirito" for "Espiritu" (p. 329). On page 295 Colonel Butler of the Palmetto Regiment is referred to as a "Captain", and "field of fortification" appears to mean "field fortification". The date at the top of page 172 is likely to mislead some readers. General Anderson's daughter, Mrs. Eba Anderson Lawton, contributes a brief introduction, for which one is grateful, but the account of Taylor's operations, quoted by her, is not very accurate.

JUSTIN H. SMITH.

Henry Dodge. By Louis Pelzer. [Iowa Biographical series, edited by Benjamin F. Shambaugh.] (Iowa City, Iowa, State Historical Society, 1911, pp. xiv, 266.) From boyhood in Missouri, as a hunter and Indian campaigner, during young manhood, when his military services extended over nine of the present states of the Mississippi Valley, and through the later period of his 85 years of life, as a frontier commonwealth builder in a time of turmoil and political excitement, Henry Dodge was adventurously active. Mr. Pelzer has been painstaking and successful in amassing data concerning Dodge's interesting ancestry, his turbulent youth, his numerous expeditions into the Indian country under government auspices, his connection with the Black Hawk War, and his later career as governor of the new territory of Wisconsin, last remnant of the old Northwest to be so organized, his removal as an offensive partizan and later reinstatement, and his election as a United States senator following the admission of Wisconsin to statehood in 1848. Mr. Pelzer marshals his facts compactly with fulness of detail. This kind of background fails, however, to throw into relief the dramatic figure which Henry Dodge undoubtedly was, even to his contemporaries. While the biographer in the main is just in his estimate of Dodge's character and services, an occasional tendency to superlatives may be noted, as when he says, "Under the legislative and administrative force of this family vast territorial empires of the West were transformed into territories and commonwealths with security, wealth and population". Mr. Pelzer's narrative is a valuable chapter on the formative period of state-making in the Old Northwest. If he has not made a stirring narrative of a life which embraced a stormy and unbridled youth and a dramatic manhood, tempered with a serene old age, he has gathered with conscientious completeness a mass of material disclosing "a cross-sectional view of life in the West in the first half of the nineteenth century". Perhaps the least satisfactory part of the biography, because of brevity, is that which deals with the factional quarrels that involved Dodge and Duane Doty, with their partizans, in a strife that profoundly affected the people of the new commonwealth in their political, social, and even business relations.

The Christiana Riot and the Treason Trials of 1851: an Historical Sketch. By W. U. Hensel. Second and revised edition. (Lancaster, Pa., published by the author, 1911, pp. ix, 158.) This volume is the best account so far written of the most famous fugitive slave case in the history of Pennsylvania. Besides documents and contemporary reports, the author has used with much discrimination manuscript accounts hitherto unknown, and has sifted a large amount of oral testimony and accidental information. His book is approximately a final account of the episode.

A satisfactory though somewhat slight chapter on fugitive slave legislation is followed by a description of conditions in Lancaster County in 1851, the hatred of kidnapping, the boldness of fugitives, and the irritation across the Maryland line. The story of the September riot, in which Edward Gorsuch lost his life, is by far the best account of the incident and the best part of the book. The history of the treason trials is full as regards personal incident, but in the matter of legal argument and principle, slighter than the importance of the subject demands. As a narrative of the events this book will hardly be superseded, though another historian may recast the story in different proportions.

The most serious fault is a tendency towards careless writing and unfortunate expression, and a consistent use of separated infinitives; though on the whole the writing is interesting and clear.

The statement is quite accurate—I have noticed very few errors: the act of 1826 did not establish the freedom of children born in Pennsylvania of escaped slaves (p. 7), the act of 1847 repealed the entire act of 1826 not parts of it (pp. 11, 57); and two misprints: Hallows should be Holloway (p. 7), Govaus should be Govans (p. 127). The book is beautifully printed and well illustrated. The author has done his work in a very satisfactory manner.

EDWARD RAYMOND TURNER.

Between the Lines: Secret Service Stories Told Fifty Years After. By Bvt.-Major H. B. Smith. (New York, Booz Brothers, 1911, pp. 343.) The author, during 1864 and 1865, was chief of the Secret Service of the Military Department which included Baltimore and Southern Maryland. The disloyal element in that department was large, powerful, and active. Communication with the Confederacy was unceasing; Southern soldiers, spies, and escaped prisoners of war, were cared for and passed to safety; and a traffic in contraband articles proceeded with almost the regularity of a legitimate commerce. This book is an account of Major Smith's experiences. His stories are perhaps most interesting in the evidence they give of the seeming ease with which so many men can be imposed upon, and their inability to keep their own counsel. A detective would present himself as a blockade-runner, and not only would he be sheltered and fed, but his host would straightway proceed to confide what he and his friends were doing, had done, and planned to do, to

outwit the government. Another detective would represent himself to be a Confederate officer escaped from a Federal prison, and immediately men, at great risk to themselves, would hide him, care for him, and guide him to safety, meanwhile telling him in detail of the assistance they and others had been able to give to Southern soldiers in distress.

It is evident that the book as written was intended for the author's immediate circle and there has been but slight revision. This may explain why more than a hundred official communications are quoted in full when in most cases a single sentence or a paragraph would have sufficed.

There is little in the book that will appeal to the student, and as Major Smith's duties failed to lead him into the zone of the fighting armies, the general reader will not find in his adventures the exciting interest usual in stories of the Secret Service.

Kansas in the Sixties. By Samuel J. Crawford, War Governor of Kansas. (Chicago, A. C. McClurg and Company, 1911, pp. xvii, 441.) The first governor of Kansas and the third have published books on the early history of that state. Robinson's *The Kansas Conflict*, which appeared twenty years ago, is mainly polemical, dealing chiefly with the "border ruffian" period and its controversies, while Crawford's *Kansas in the Sixties* is essentially autobiographical. Reaching the territory March 1, 1859—five years later than Robinson—Crawford began the practice of law at Garnett, a small, out-of-the-way hamlet in Anderson County. A profound peace then prevailed, following swiftly upon the exodus of Old John Brown and his caravan of fugitive negroes. If life ever grew flat or stale in the primitive democracy of new-comers at Garnett, the tedium could be readily broken by expeditions to the buffalo range beyond the Arkansas.

The period of tranquillity was rudely interrupted in 1861. A member of the first state legislature, at the opening of the Civil War, Crawford obtained leave of absence to raise a company of volunteers. During an active military service of three years and a half, first as captain and later as colonel, he participated in almost every engagement in the trans-Missouri warfare from the skirmish at Forsyth to the surrender of Marmaduke at Kline Creek. Among the Kansas soldiers of 1861-1865 there is no figure more attractive and distinguished than Colonel Crawford. He was a stout, resourceful, dashing fighter, and one or two brilliant charges, made without orders and on his own responsibility, like the capture of a Confederate battery at Old Fort Wayne, ought to have carried beyond a colonel's commission and that in a colored regiment. His narrative of military operations has the directness, the force, and the unconventionality of the frontier. Some errors may have crept into it; an unreconstructed partizanship—a survival of the sixties—may color it, yet as a series of battle pictures, as a contribution to a rela-

tively obscure period of Kansas history, it has a value altogether exceptional.

Late in 1864 Colonel Crawford reluctantly left the army to become governor of Kansas—an office which he held three years. Scarcely had the Civil War closed when a period of disastrous Indian raids began. Though the marauders had no leaders so able and adroit as Gerónimo or Sitting Bull they were troublesome antagonists and continued their depredations until 1869. In the autumn of that year a winter campaign was undertaken to bring the lingering and intolerable warfare to an end. Governor Crawford resigned his office to accept the colonelcy of a regiment of Kansas cavalry enlisted for the expedition at the request of the federal authorities. This winter campaign in a wild, roadless, unknown country is without a parallel, for difficulties and hardships, in the history of the army—if we may accept the dictum of General Sheridan. It was sad business, but it brought permanent peace to the frontier settlements of Kansas. The account of this campaign and the discussion of the Indian policy of the government are by no means the least interesting and valuable part of the book.

LEVERETT W. SPRING.

Moses Coit Tyler, 1835-1900: Selections from his Letters and Diaries. Edited by Jessica Tyler Austen. (New York, Doubleday, Page, and Company, 1911, pp. 325, vii.) This book is in effect an autobiography, the editor's contributions being limited to a short initial chapter and a few connecting paragraphs. In spite of many gaps, the letters and diaries form on the whole a coherent narrative of Professor Tyler's outer and inner life, and bring one into intimate touch with him.

The chief value of the book lies in this vivid self-portrait of a man of rare personality and of notable achievement as an historian of American literature. Throughout his long career as clergyman, lecturer, editor, and professor, his letters and journals give constantly the impression of a noble, sensitive, and vivacious nature. These hastily written pages have the raciness and humor which distinguish all his publications and make so delightful his treatment of even the dullest colonial writers. They also reveal an almost feminine delicacy of organization, which evidently lay at the bottom of his nice sense for human and literary values. The diaries show that he was passionately religious, and that at the height of his success as professor and author he was torn by a longing to resume the work of a clergyman. His conscientious thoroughness appears again and again—most strikingly, perhaps, in a letter to his publishers, in 1876, in which he says: "The only way in which I can write a *Survey of American literature* is actually to make a survey of it. . . . When I get the work done it will be real work and will stand. . . . The element of time is unspeakably inferior to the element of thoroughness." The union of such painstaking toil with so much brilliancy is all too rare—in historians or others.

The diaries also have value as a record of American university conditions in their relation to productive scholarship. Again and again they utter a cry of distress under the heavy burden of lecture-writing and class work, which delayed the *magnum opus* and wholly frustrated other plans. Certain entries about a faculty squabble, however, should have been excised.

To the general reader the most interesting parts of the work will be the descriptions of famous men at home and abroad. Grant, Sumner, Beecher, Bryant, Lowell, Matthew Arnold, Victor Hugo, and others are sketched with telling strokes. The portrait of Lowell in London, in 1882, is especially fresh and interesting. The vividness of the style may be seen in the following words about Grant in 1871: "His head is like a big bullet; his face had a look of illimitable determination and quiet strength; also quite plebeian. . . . His eye moved quickly when it moved at all, and then rested heavily upon whatever object it settled on. During the latter part, some one fainted in the back of the church and there was a momentary noise. Grant started quickly and turned quite around, with a startled look, as if personally suspicious of danger, and yet with an expression that could quell danger."

A few misprints should be corrected: "Calvanism" (p. 77), "Byrant" (p. 82), "Turkish" for "British" (p. 177).

WALTER C. BRONSON.

The Life and Labors of Bishop Hare, Apostle to the Sioux. By M. A. DeWolfe Howe. (New York, Sturgis and Walton, 1911, pp. 417.) William Hobart Hare, born at Princeton in March, 1838, was consecrated bishop of South Dakota and the neighboring territory, called Niobrara, in 1873. His biography is more than an important chapter in the history of civilization in the United States. It throws the white light of actual experience on Indian manners, customs, and traditions, and contributes much to the understanding of the relations between the government and the Indians. It suggests another book, *Lights and Shadows of a Long Episcopate*, by Bishop Whipple of Minnesota. Both are most important records of our early Western civilization; both disprove utterly that flippant saying, "There is no good Indian but a dead Indian"; and both testify to the present civilizing power of Christianity.

The book is crowded with anecdote and incident, while flashes of wit and humor alternate with touches of pathos and sentiment. By Bishop Hare's wise, tactful Christian influence, many a massacre was prevented or stopped even after it had been begun. Civilization came more quickly and surely for what he had accomplished. He believed in schools and established them, not for mere learning but to teach industry, trade, domestic service, and home-making. He did not believe in reservations, territorial, legal, or social, nor in anything that would tend to make "Indian life a solid foreign mass, indigestible by our common civilization". He took an active part in the social and moral issues fought out

in the West. He opposed prohibition and referred to such legislation as "going at the wen of intemperance with a dirk instead of with a surgeon's knife". The chapter dealing with the leading part he took in the legislation reforming the divorce laws of South Dakota is one of the most interesting and important in the book.

He was not only a hero, but a martyr, and sacrificed bravely his body and his life in the cause to which he had been consecrated. His last years were spent in partial blindness and keen physical torture, but he persevered to the end. Over his bed hung a copy of a prayer by Robert Louis Stevenson, with whom he had the sympathy of fellowship in heroic suffering nobly borne. He died in October, 1909, and, at his own request, was buried in Sioux Falls, amid the profoundest expressions of grief by the entire religious, political, and business community.

CHARLES L. WELLS.

Fifty Years of Public Service. Personal Recollections of Shelby M. Cullom, Senior United States Senator from Illinois. (Chicago, A. C. McClurg and Company, 1911, pp. xi, 467.) This book contains just about as many character sketches as there are pages. These are candid and sane, but include no interesting new facts or penetrating judgments. There are chapters on Senator Cullom's work on the committees on Interstate Commerce and Foreign Relations, but they are quite slight. There are a few letters, not heretofore published, of Secretary Hay, President Roosevelt, and Joseph E. Medill, editor of the *Chicago Tribune*. On the whole the book seems to contain nothing of interest for the historian. If Senator Cullom has ever seen anything that he who runs may not read, at least he does not reveal it here.

Of course such a book must be, to some extent, a self-revelation, but it certainly fails to reveal why Mr. Cullom has been five times chosen senator. He gives evidence of a prudent good judgment, but not of that shrewdness which was characteristic of many of his generation. His political conscience seems somewhat antiquated to-day, but fairly representative of the eighties. Perhaps the only clue one obtains to his long-continued political success is that on finishing the volume one feels a little sad at having to say these simple truths regarding it.

CARL RUSSELL FISH.

The History of Martha's Vineyard, Dukes County, Massachusetts. By Charles Edward Banks, M.D., Surgeon U. S. Marine Hospital Service. In two volumes. (Boston, George H. Dean, 1911, pp. 535; 661.) This work treats of a section of Massachusetts whose history is unique. The first volume is devoted to the general history of the county, the second to the annals of its seven towns, while the third, to be published, will contain genealogies of the more prominent families. The work is based on the sources, and shows extensive research in England, in the archives of New York, and in Massachusetts, county and town, records.

The first volume should be especially interesting to students of political and constitutional history, for the island did not belong to any chartered province, 1642-1664, and was an independent self-governing entity. While nominally a part of New York, 1665-1691, in fact it was practically independent. The political scientist will find here an account of a contest between the powers working for aristocratic and democratic control respectively. He will find unusual forms of county and town government and judicial administration, *e. g.*, at first, no body of freemen, denial of the suffrage, the union of legislative, executive, and judicial functions; later a body of freemen acting as an appellate court, an attempt to introduce manorial government, etc. These peculiarities were due to the isolated position of the island, the conflicting claims over the territory, and the struggle between the Mayhew family and the townsmen for political control. The missionary work of this family among the Indians is also of especial interest. In the second volume a large amount of space is given to detailed biographies of the early settlers, notwithstanding the plan of the third volume. Less space is accordingly given to accounts of the social and economic life of the people than one wishes. The work is remarkably free from errors of fact. Dr. Banks, who is neither a native nor a resident of the island, deserves the thanks of historical students for writing such a scholarly and, on the whole, satisfactory history of Martha's Vineyard.

M. W. JERNEGAN.

TEXT-BOOKS

History in the Elementary Schools: Methods, Courses of Study, Bibliographies. By W. F. Bliss, B.S., M.L., Dean of the Normal School and Head of the Department of History, State Normal School, San Diego, California. (New York, American Book Company, 1911, pp. 214.) The section entitled Courses of Study in Dean Bliss's book contains topics selected from primitive life for the first four grades, topics from medieval and early modern periods for the fifth and sixth grades, and a detailed outline of American history for the seventh and eighth grades. The author claims no credit for originality. He distinctly states (on pages 6 and 7) that the merit of the course is due to the suggestiveness of the work of others.

Only twelve pages are given to methods of instruction in primary, intermediate (fifth and sixth), and grammar grades. The author is evidently familiar with some of the best written discussions of methods applicable to both college and elementary work. Unfortunately, however, he seems to lack that first-hand experience with children so necessary to any adequate understanding of methods of instruction suitable for each stage of development. On pages 49 and 50 for instance in describing grammar grade work he says: "Pupils are expected to keep note-books . . . are encouraged to make brief abstracts of their readings and the *lectures* of the teacher. Here the first steps are taken in

the *research* or library method of studying history." The italics are mine.) The evils resulting from such suggestions if carried out in practice could scarcely be overestimated. Some of the author's suggestions are thoroughly psychological, but the teacher who has sufficient discernment to know what to accept and what to reject has no need for such a book. For the inexperienced it is neither stimulating nor safe.

The bibliographies do not contain comment sufficiently discriminating to inspire confidence. The book adds nothing of value to either the literature or the pedagogy of the subject.

S. A. DYNES.

Historical Atlas. By William R. Shepherd, Professor of History, Columbia University. (New York, Henry Holt and Company, 1911, pp. xi, 94; 216 plates.) As an atlas for college courses in European history many instructors in this country have found nothing more satisfactory than Putzger's well-known *Schul-Atlas*. But the German nomenclature is difficult and confusing to students. The attempt to obviate this by publishing it with a German-English index, as was done by an American publisher when it celebrated its well-deserved twenty-fifth anniversary with an enlarged *Jubiläums-Auflage*, was not really a success. Mr. Shepherd has done very much better. He has translated and adopted all that was best in Putzger, and added many excellent new maps of his own. He has made a well-proportioned and very serviceable atlas of general history in place of the old Putzger, which had an emphasis excessively German for any except German students. His maps range in time from the Mycenaean Age and the Assyrian Empire down to plates which show the levels and locks of the Panama Canal and the projected steamship lines which will be put into operation when the canal is opened. The maps are numbered, not according to folio sheets or plates, but like ordinary pages in a book, so that a full sheet, printed on both sides and folded once, represents four pages. Of the total 216 pages, aside from 18 which are blank, 33 are devoted primarily to ancient history, 123 to medieval and modern European history (including the expansion of Europe into Asia and Africa), 11 to English, and 31 to American, history. Each of the fields is so well represented and the maps are so good that they ought to be adequate for ordinary undergraduate use in any history course.

Mr. Shepherd wisely gives more attention to physical geography than is usually the case in student atlases. There is a good map at the beginning showing the physical features of Europe, Western Asia, and Northern Africa, another of the British Isles, and another of North America; and many of the political maps have a background of physical features. We wish he had also included at the beginning a good map showing the physical geography of France, Germany, and Northern Italy, in greater detail than was possible on his small scale general map.

He recognizes the increasing interest in social and economic history,

as compared with purely political history, by good maps of London and its vicinity *ca.* 1300 A. D., of Paris and Versailles in 1789, of the medieval European and Asiatic trade-routes, and of England before and after the Industrial Revolution and before and after the Reform Bill of 1832. His plan of a medieval manor, though at first sight rather complicated for the eye of a college freshman, is really preferable to the excessively simplified hypothetical plans in some books, which never had any actuality and give no suggestion of the usual complexity of medieval agrarian arrangements. Church history is illustrated by two full-page maps showing the extension of Christianity to 1300 A. D. and the ecclesiastical divisions and religious houses in the Middle Ages; also by a ground plan of the monastery of St. Gall and by several small sketch-maps. Detailed maps of Baden and Württemberg, taken from Putzger, give some idea of the amorphous heterogeneity of the microscopic political units in the moribund Holy Roman Empire. In American history there are notable maps showing the territorial expansion of the colonies and the United States and the westward movement of population, and also a chart suggesting the relation of slavery to the growth of the staple agricultural products in the southern states. The other purely political maps are of a familiar kind and call for no special comment.

The maps were "made in Germany", and have the beautiful precision, the skilful simplification of exact detail, and the attractive color scheme which we have come to expect as a matter of course in German-made maps, but which a beneficent tariff has failed as yet to encourage in the United States, at least in maps intended for the commercial trade. It appears to be cheaper and certainly more satisfactory from an artistic point of view to do as Mr. Shepherd has done—take advantage of the highly skilled and relatively inexpensive labor of Germany, and let the American youth pay the 25 per cent. import duty.

The good index contains over 22,000 references, and is, so far as we have tested it, absolutely accurate.

SIDNEY B. FAY.

An American History. By David Saville Muzzey, Ph.D., Barnard College, Columbia University. (Boston, Ginn and Company, 1911, pp. 662.) This text-book for secondary schools is decidedly out of the ordinary in style, treatment, proportion, emphasis, and general atmosphere. It is written with a literary skill, a vigor and polish of style, that make it an easier volume to read than any other of the same scope and purpose. Not only has the author followed the prevailing tendency to emphasize economic and social history and the influence of the great westward movement, and to subordinate military affairs; he has been ruthless in dealing with matters of merely traditional value, thus finding much more space than is common for the matters he regards as of first-rate importance, while he is almost contemptuous in his summary handling of

most of our wars. The colonial period is disposed of in one-sixth of the space; the chapters covering the period since the Civil War occupy more than one-fifth of the book. One of the most striking features is the easy confidence with which the author passes judgment upon men and events from the early explorers to the Roosevelt policies.

Whether these characteristics are regarded with approval or not, the attention and care which the author has doubtless devoted to them are probably in part responsible for several unquestionable defects. The author's ready facility of expression, his liking for a somewhat ornate style, his skill in compacting information and meaning into a single sentence, frequently result in sentences that are too involved, too rhetorical, or too highly generalized for the immature readers for whom the book is intended. This same fondness for brilliance of form sometimes results in a wealth of adjectives or the sketching of a striking contrast that may not be altogether warranted. The treatment is also at times too philosophical for the ordinary high school student. The attempt to dispose of the military side of the Revolution in a few paragraphs prefaced with something like an apology for saying anything, has not been very successful. Dr. Muzzey is perfectly right in regarding military history as of minor importance. Yet it is as real as any other, and the student should acquire some notion of what war is like, and should give at least a part of the time available to this subject to grasping the general military problem of each belligerent as a basis for understanding the outline of campaigns that he reads; moreover, however little is done it ought certainly to be done with care. Dr. Muzzey's story of the war gives no general view of the problems and is at various points inaccurate in detail or misleading because of extreme condensation. For example, it was not Gage who was driven from Boston as the author twice asserts (pp. 135, 136); the British troops were not "turned back" at Concord bridge (p. 124); the North Carolina Regulators were not of the patriot party as implied on page 133, most of them becoming Tories; the story that Frederick of Prussia praised the brilliance of Washington's Trenton-Princeton campaign has, in the words of Charles Francis Adams, "been long since disproved"; St. Leger was not stopped by Herkimer (p. 137); Germantown was fought after the occupation of Philadelphia, not in defense of it (p. 138); the reference to Arnold's grounds for resentment (p. 141) is far from doing him justice, and on the same page Ferguson's Tory militia appear as "British regulars", with two other small inaccuracies; Washington's stroke at Yorktown involved a march of 400 miles instead of 300 (p. 143); and Cornwallis did not hand his sword to Washington (p. 144).

None of the foregoing points is vital, it is true, and most of them separately considered seem rather trifling; but when taken in connection with sixty or seventy other questionable or inaccurate statements throughout the book, even though most of them are immaterial, one is bound to feel that the author might have been more careful. Space

permits the mention of only a few of these: de Soto's exploration began in 1539, not in 1538 (p. 17); the papal bulls of demarcation were issued in May and September of 1493, not in 1494 (p. 20), though the latter was the date of the treaty of Tordesillas; the Maryland charter makes no mention of taxation by Parliament, the quotation from the charter is not exact, and the sentence declaring that the colony was again and again plunged into civil war because of religious strife is at least seriously misleading (p. 55); the statement about Mason and Dixon (p. 64) conveys the impression that the surveyors arbitrated the boundary line; the Navigation Acts required three-fourths, not two-thirds, of the crews to be English subjects (p. 70); the colonial Virginia county was not governed by parish vestries (p. 76); the tea landed at Charleston did not spoil in damp cellars, and the *Peggy Stewart* affair might have been mentioned with the others (p. 120); the French had been aiding the Revolution with money and supplies long before the treaty of 1778 (p. 139); the twelfth amendment to the Constitution does not provide for the election of president and vice president on "party ballots" (p. 204); the fight between the *Monitor* and the *Virginia* was not so one-sided as indicated on page 443; Pickett's splendid command at Gettysburg was not a "brigade" (p. 451); etc.

Dr. Muzzey has undoubtedly striven to be scrupulously fair. On the whole his view of the Revolution, however, is the traditional one of Bancroft: the rule of England was a "wretched failure", the Stamp Act "reduced their assemblies to impotent bodies and made their charters void", and "oppression" and "tyranny" are freely used. Dr. Muzzey's hatred of slavery is so intense that he rarely refers to it at any period of our history without a heated adjective or epithet: "infamous business", "disgrace and curse of human bondage", "horrible institution", "cancer of slavery", etc. This seems at least unnecessary. While much is said to show the South's side of the long controversy that culminated in Civil War, the author's sympathies are more than plain: the South fought for an "unworthy cause", its argument in 1860 was that of "the highway robber" (p. 409), Jefferson Davis indulged in "melodramatic bluster", and "our" is repeatedly applied to things Federal. The account of Reconstruction is excellent and on the whole eminently fair. While Dr. Muzzey's opinions are usually wise and just, it is doubtful whether the author of a school text is justified in telling his readers just what to think of everything and everybody, even for the five or ten years nearest to them.

It would hardly be just to conclude this review with a disparaging note. The author deserves great credit for his courage in blazing new trails and for the large measure of success with which he has met. A very careful and thorough revision (which the reviewer is informed is in progress) can make the book one of the best, if not actually first, in its field.

J. MONTGOMERY GAMBRILL.

COMMUNICATIONS

YALE UNIVERSITY, January 8, 1912.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

THE late Professor Edward G. Bourne was well known as one of the keenest of historical critics and it would perhaps be as well if this communication were headed "Another Instance of Bourne's Keen Criticism".

In 1889 there appeared a *Life of Martin Van Buren* by George Bancroft which excited some interest at the moment of its publication, but this interest quickly died down when the work was examined. The book appeared to be nothing more than a eulogy written many years before.

In an article in the *Christian Register*, December 17, 1891, Professor Bourne showed from internal evidence in the book that it must have been written about 1843-1844, after Van Buren took his stand on the tariff question in 1843 and before he announced his position on the Texas question in 1844. For purposes of illustration Professor Bourne was accustomed to use this book in his graduate course at Yale on "Methods of Historical Research and Criticism". In that course he had gradually established the date of composition more exactly. He finally concluded that the last incident mentioned in the work was the sympathy Van Buren had expressed for Ireland. The letter in which this sympathy was expressed was dated June 19, 1843, and was printed in *Niles' Register* of October 7, 1843. Bancroft's use of this incident would hardly have been permissible if the letter had not been printed. Accordingly the book was certainly written after June 19, and was probably written after October 7, 1843.

There was not the slightest reference to Van Buren's attitude on the annexation of Texas and it would seem incredible that it should have been omitted if his position were known. The letter in which Van Buren announced his position was dated April 20, 1844, and was printed in *Niles' Register* on May 4 (Professor Bourne does not seem to have been aware that the letter was immediately printed in the *Washington Globe*). Accordingly it was decided that the book must have been written before May 4 and probably before April 20, 1844.

The final conclusion was that Bancroft, then a rising politician, had written a campaign life of Van Buren, in the confident expectation that the latter would be nominated for the presidency in 1844. When the Democratic Convention, in May, 1844, decided to place Polk instead of Van Buren at the head of their ticket, this campaign biography lost its purpose. It was accordingly laid aside and was not made public until over fifty years later.

In volume XLII. of their *Proceedings* the Massachusetts Historical Society recently printed a series of extracts from the Van Buren-Bancroft correspondence, and the Library of Congress has just published a *Calendar of Van Buren Papers*. From these collections the following significant items are taken:

On March 28, 1844, Bancroft wrote to Van Buren upon the progress he was making on the sketch of the latter's life.

On April 16, 1844, Bancroft wrote to Van Buren that the sketch was finished.

On June 14, 1844, Bancroft wrote to Van Buren concerning the outcome of the Baltimore Convention, and adds in a postscript:

"I have many personal causes for regretting the result; but do not include among them the weeks I gave to the more particular study of your political career. The present ceases to be the fittest moment for the publication of the little sketch I had prepared. Hereafter, it may be divested of its character as an occasional ["political electioneering" crossed out] document, may be made more personal, and will perhaps have a higher and more lasting interest, than if it had been printed now. A book circulated on the eve of an election would have had suspicion cast on it: by and by we may appeal to the honest forum of humanity."

The information is sufficiently important to warrant attention being called to it, and it is equally interesting as confirming Professor Bourne's methods and accuracy.

MAX FARRAND.

ROCHESTER, NEW YORK, December 1, 1911.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

My dear Sir:

It was highly gratifying to me to see the AMERICAN HISTORICAL REVIEW (October, 1911, p. 192) recognize that my work, *Religion in New Netherland*, is "the first serious attempt at interpretation of the religious development of the province of New Netherland in the light of modern research in the field of religious history of the mother country" and also that "not much fault is to be found with the general narrative of events" in regard to the religious history of the colony. While very grateful for the corrections so kindly made, I cannot admit the exception taken against my review of the religious history of the Dutch Republic in chapter 1. on the ground that "the picture of religious persecutions [of Catholics and Arminians] is hardly in accordance with the facts", as "this chapter fails to take account of the *contrary* views expressed by Robert Fruin in his *De Wederop-luiking van het Katholicisme* and by Dr. L. Knappert in 'De Verdraagzaamheid in de Republiek der Vereenigde Nederlanden' (*Tijdspiegel*, 1907), which show that many of the oppressive ordinances cited by the author were never executed."

The fact that the oppressive ordinances were not always executed is intimated on page 20 of my work in regard to the placard of June 23, 1587, frequently renewed later precisely on account of its infraction; it is expressly stated on pages 24, 31, 34 in regard to Catholics, on page 28 regarding Arminians, and on page 31 regarding other dissenters.

A careful analysis of the authorities cited against me fails to disclose the contrary views alleged. Fruin's work only *incidentally* refers to the Arminian controversy, for which he attempts an apology by insisting *unduly* on differences between Dutch Jesuits and secular priests anent some cases of conscience, really of minor importance when compared with the issues at stake among the Dutch Reformed. In regard to the Catholics there is no difference between Fruin and the author as regards the *facts* for the period studied by Fruin, who does not push his investigation beyond the first years of the seventeenth century while my book carries on the study for fifty years more. He expounds correctly, but with an unnecessary apologetic and polemic tone, the religious policy of the Dutch Republic, which thought it could force a gradual extinction of Catholicity by a system of harassing measures that the magistrates, it is true, at times only held as a scourge over the heads of the Catholics and that the Catholics at times were able to escape through the venality of the Dutch officials subject to the national Dutch passion of the time-greed for money, as Fruin puts it. (Cf. Fruin, *o. c.*, pp. 41-45 and Knappert, *l. c.*, pp. 261-264.)

In regard to Dr. L. Knappert I can only commend a careful reading of his article with full confidence that the earnest student will not fail to find much there to confirm my view. No more telling criticism can be found of Fruin's attempt to maintain the "high sounding phrase" ("klinkende frase"): "In our Republic the Catholic enjoyed, I repeat it, full freedom of conscience" ("In onze republiek genoot de katholiek, ik herhaal het, volledige gewetensvrijheid") (*o. c.*, 36) than the words of Dr. Knappert (*l. c.*, p. 248). "Also with us there was no place as yet for absolute freedom of conscience, and *measured by our concept of the present day, Catholics had certainly no freedom* . . . According to modern standards the policy (*die theorie*) was certainly oppressive. Although different in various provinces, severer at one time than at another, it amounts, however, on the whole to this: Catholics had no equal rights before the law, could hold no public offices; they were personally unmolested in their religious convictions, but the common, public exercise of worship was not granted them, no mass, no [sacrament of] confirmation, no participation in pilgrimages; their sons could not study at foreign Catholic universities; their marriages had to be contracted before the Schout and the Schepens, yes, in the Common Lands, for a time, even before the Reformed Preacher: here and there their children were even forced to attend the Reformed school, and their priests, as soon as they appeared in public, were

punished with banishment and confiscation of their goods." Here there is clearness of definition, which American historiography has persistently avoided in this question, and which, I hope, will now make its way into American historical literature.

Sincerely yours,

FREDERICK J. ZWIERLEIN.

NOTES AND NEWS

The Board of Editors have, with deep regret, to chronicle the resignation of Professor William Milligan Sloane. Professor Sloane has been a member of the Board from the foundation of the REVIEW in 1895; indeed, he was chairman of the conference in the spring of that year, by which the REVIEW was instituted. Throughout these seventeen years his interest in its fortunes has been untiring, and the journal owes to him, both in historical and literary matters and in those relating to its business affairs, a greater debt than can be expressed in a brief paragraph. Acceptance of office by the successor, now abroad, who was elected in his place by the Executive Council of the American Historical Association, has not yet been received; in the meantime Professor Sloane continues to serve.

AMERICAN HISTORICAL ASSOCIATION

The Committee on Publications has decided to place the volumes of *Papers* and *Annual Reports* now in stock on sale to members at a considerable reduction in price. Bound volumes of the *Annual Reports* will be supplied, so far as they are on hand, at one dollar a volume. Bound volumes of the *Papers*, of which it will be remembered that five volumes were published between 1885 and 1889, will be supplied at two dollars each, unbound copies at a dollar and a half. A considerable number of reprints from the *Papers* and *Annual Reports* are also on hand and these will be supplied at varying prices depending upon the size of the reprint. A price list is being prepared which will be sent to members upon application.

Arrangements on the part of the Association for the continuance of the *History Teacher's Magazine* have been completed, the needful subvention having been supplied by a grant of \$600 from the treasury of the Association and by a subscription of equal amount from two societies of history teachers and from some seventy-five individual guarantors. The *Magazine* will continue to be edited by Dr. Albert E. McKinley of Philadelphia and to be published by the McKinley Publishing Company, 1619 Ranstead Street, Philadelphia. The issue made in September, 1910, being counted as number 1 of volume III., that of February, 1912, elsewhere noticed, is number 2 of that volume, and the volumes will hereafter run with the calendar years. The agreement made by the Association is to continue for three years. In pursuance of it, the Executive Council of the Association has appointed an advisory committee of six members: Professor Henry Johnson of Teachers' College, New York, chairman, Professor Fred M. Fling of Nebraska, Miss Blanche E. Hazard of the Boston High School of Practical Arts, Professor George C. Sellery of Wisconsin, Professor St. George L. Sioussat of Vanderbilt

University, and Dr. James Sullivan of the Brooklyn Boys' High School. The annual subscription to the *Magazine* is raised to \$2.00, but members of the American Historical Association and of regional and local history teachers' associations can obtain it for \$1.00 by application made directly or through the secretaries of their organizations.

In accordance with the usual alternation in the prizes offered by the Association, the present is the year for competition for the Justin Winsor Prize. That prize, of \$200, is given for a monograph based upon independent and original investigation in American history, by which is meant the history of any of the British colonies in America to 1783, of the United States and its acquisitions, and of independent Latin America. The monographs must be submitted to the committee of award on or before July 1, 1912. A circular giving full information may be obtained by application to the chairman of the committee, Professor Claude H. Van Tyne, Ann Arbor, Michigan, to whom all correspondence should be addressed.

Professor Wallace Notestein's Adams prize essay on the *History of English Witchcraft*, and Professor Edward R. Turner's Justin Winsor prize essay on *The Negro in Pennsylvania* have after unusual delays been published by the American Historical Association. It is expected that Miss Brown's essay on the *Political Activity of the English Baptists and Fifth Monarchy Men during the Interregnum* can be brought out in the autumn.

In the series *Original Narratives of Early American History* we have to note the publication of *Original Narratives of Early Pennsylvania, West New Jersey, and Delaware*, edited by Mr. A. C. Myers. The next volume, to be issued next autumn, will be the *Journal of Dankers and Sluyter, Labadist missionaries, 1679-1680*, edited by Rev. B. B. James.

Writings on American History for 1906, 1907, 1908, and 1909 will be supplied to members of the Association until the stock on hand is exhausted, at the rate of one dollar a volume.

PERSONAL

Professor Felix Dahn, historian, novelist, and poet, died at Breslau on January 3, 1912, at the age of seventy-seven. Though most widely known as a novelist, one of his novels having passed through more than thirty editions, he has long been of high repute among historical students by reason of works on the earlier portion of German medieval history, especially by his important treatise, *Die Könige der Germanen*, of which the first volume was published in 1861, and the twelfth in 1909. He also contributed volumes, upon his special period of the early Middle Ages, to the Oncken series and to that of Heeren and Ukert (Lamprecht).

Dr. Frederic Seebohm died on February 6, aged seventy-eight. A Quaker banker, he early published a work on Colet, Erasmus, and More

(1867) which he entitled *The Oxford Reformers of 1498*. His chief book, *The English Village Community* (1883), followed by *The Tribal System in Wales* (1895) and *Tribal Custom in Anglo-Saxon Law* (1902), did much to establish new tendencies in the history of English institutions, marking the reaction from the ultra-Teutonic school of forty years ago.

Professor Oswald Holder-Egger died on November 1, at the age of sixty. He had been connected with the work of the *Monumenta Germaniae Historica* from its organization in 1875 to the time of his death, had been for many years in charge of the section *Scriptores*, and had edited many of the chronicles published in that series.

Sir James M. Lemoine of Quebec, author of *Quebec, Past and Present* (1876), and of other agreeable writings concerning the history of his city, died there on February 5, at the age of 87.

Dr. J. Holland Rose is teaching at Harvard University during the present half-year and lecturing at the Lowell Institute on the Personality of Napoleon.

Professor E. D. Adams of Stanford University will teach at Harvard during the summer.

Dr. Agnes Hunt and Dr. John C. Hildt have been promoted to the grade of associate professor in Smith College.

Dr. David S. Muzzey has been promoted to the grade of associate professor at Columbia University.

Professors Carl Becker and John H. Latané and Dr. Frank B. Marsh are to teach during the summer session at the University of Michigan, Professors Karl F. Geiser and Eugene I. McCormac at the University of Illinois.

GENERAL

It is reported from London, as having been virtually decided, that the International Historical Congress arranged for September, 1913, will instead be held at Easter of that year.

Professors Franklin H. Giddings and James T. Shotwell of Columbia, as editors in chief, are preparing *The Encyclopaedia of Original Documents*, to be published by the Columbia University Press and to present, in twenty volumes, in the English language, a comprehensive and scientifically arranged collection of the essential documents and other sources underlying the history of Western civilization, together with those influences of the East which have been factors in the history of the West. A full prospectus can be had from the publishers.

Professor E. Spranger is the author of a general introductory bibliographical review of "Allgemeine Kulturgeschichte und Methodenlehre" in the *Archiv für Kulturgeschichte*, IX. 3.

The first volume in Abteilung 2 of Teil II. of Professor Paul Hinneberg's *Die Kultur der Gegenwart* is entitled *Allgemeine Verfassungs-*

und Verwaltungsgeschichte, pt. 1, in the writing of which have co-operated A. Vierkandt, L. Wenger, M. Hartmann, O. Franke, K. Rathgen, and A. Luschin von Ebengreuth (Leipzig, Teubner, 1911, pp. vii, 373). The volume comes from the earliest historic periods to the fall of the Holy Roman Empire and includes Asiatic as well as European states.

The *Revue Historique* has published in a pamphlet of 145 pages a *Septième Table Générale*, formed on the model of the preceding general indexes and covering the years 1906-1910 inclusive (volumes XC.-CV.).

The fourth International Congress for the History of Religions will convene in Leyden in September; the third International Congress of Archaeologists will be held in Rome, October 9-16. The secretary of the former is Professor Benno Erdmanns, no. 71 Plantsoen, Leyden; of the latter, Professor Lucio Mariani, Piazza Venezia 11, Rome.

The *History Teacher's Magazine* offers in its February issue a number of instructive articles pertaining to the work of teaching. Professor Lucy M. Salmon presents a thoughtful discourse on "The Evolution of the Teacher", criticizing the conditions which make the teacher of history a mere purveyor of information and making a plea for a larger measure of research and productivity on his part. Mr. David S. Muzzey, in a paper entitled "How Modern shall we make our Modern History?" probes keenly into certain defects in the usual methods of teaching history and insists upon vitalizing the past by relating it to the problems of the present. Under the caption "The New Age", Professor Henry L. Cannon discourses upon the growing unity of mankind, and Mr. J. M. Gambrell discusses "History in the Elementary Schools". In the March number appear an interesting account of the "Inscribed Stones in the Washington Monument", by Arthur C. Cole, and a paper on "History in the Normal Schools", read by Carl E. Pray before the history teachers' section of the American Historical Association at the Buffalo meeting.

Another series of volumes of condensed knowledge has been launched by the Cambridge University Press (American agents, G. P. Putnam's Sons), the *Cambridge Manuals of Science and Literature*. Of the volumes already issued three of more or less interest to historical students are *The Wanderings of Peoples*, by Dr. A. C. Haddon, university reader in ethnology, Cambridge, *King Arthur in History and Legend*, by Professor W. Lewis Jones of Bangor, and *Early Religious Poetry of Persia*, by Professor James H. Moulton of Manchester. The volumes are attractive in appearance and are furnished with bibliographies which, though slight, are sufficient to check the authors' statements and to furnish suggestions to the reader who wishes to follow the subject further.

The *Home University Library of Modern Knowledge* (Holt) has added two volumes to those dealing with history already mentioned,

The Dawn of History, by Professor J. O. Myres, and *The Civil War*, by Professor F. L. Paxson. The latter is the first of five volumes on American history which are to be included in the series.

Political Unions, the Creighton lecture delivered in the University of London, November 8, 1911, by Herbert A. L. Fisher, is a valuable comparative study of all the more important political unions of modern times but principally of South Africa, Australia, Canada, and the United States (Oxford, the Clarendon Press, pp. 31).

The Macmillan Company publish *The New History and other Essays in Modern Historical Criticism*, by Professor J. H. Robinson. Professor Robinson's aim is "to illustrate some of the ways in which the study of man's past as now understood can be brought into relation with the great problems which the present generation is called upon to solve".

Professor A. D. Xenopol contributes to the *Revue du Mois* for February 10 an article entitled "La Synthèse en Histoire d'après M. Henri Berr", in which he discusses the positions taken by M. Berr in the volume with this title recently published by Alcan.

The December *Bulletin* of the New York Public Library contains a valuable list of the works in that library relating to witchcraft in Europe, and another of works relating to the Isle of Man.

The historical maps of Meyer's *Konversationslexikon* have been published in one volume under the title *Meyer's Historischer Handatlas*. There are 62 main sheets with numerous minor ones, 22 being devoted to ancient, and 40 to the medieval and modern periods. Special attention is naturally given to German history and to nineteenth-century warfare. Individual indexes are appended to the chief maps making the volume (octavo) very convenient in use.

An important contribution to geographical history is furnished in E. Wellers' *August Petermann: ein Beitrag zur Geschichte der Geographischen Entdeckungen und der Kartographie im 19. Jahrhundert* (Leipzig, Otto Wigand, 1911, pp. x, 284). It forms Band X. of R. Stube's *Quellen und Forschungen zur Erd- und Kulturkunde*.

Dr. Paul V. Neugebauer's *Stern tafeln von 4000 vor Chr. bis zur Gegenwart zum Gebrauch für Historiker, Philologen, und Astronomen* (Leipzig, J. C. Hinrichs, 1912, pp. 85) gives the position of some 300 stars at intervals of 100 years from 4000 B.C. to 1900 A.D.

ANCIENT HISTORY

Professor Ettore Pais presents in the *Rivista d'Italia* for November, 1911, a comprehensive survey of modern progress in his especial field, read at an Italian scientific congress, under the title "La Storia Antica negli ultimi Cinquanta Anni".

A record of the civilization of Palestine from about 2500 B.C. to

the time of Christ is presented in *The Excavation of Gezer, 1902-1905 and 1907-1909*, by Professor R. A. Stewart Macalister, the director of the excavation. About 4000 objects are represented by photographs and plates. The publisher is John Murray.

J. C. Hinrichs of Leipzig has published two volumes of *Die Palästina-Literatur* (1911, pp. 204), a well-indexed international bibliography of books and articles on Palestine in all its aspects, supported by various societies devoted to Palestinian studies, and edited by Dr. Peter Thomsen. The first volume covers the product of the years 1895-1904, the second, of those from 1905 to 1909.

In the *Vorderasiatische Bibliothek* Professor Franz H. Weissbach has published *Die Keilinschriften der Achämeniden* (Leipzig, Hinrichs, pp. lxxxiv, 160).

Professor Eduard Meyer has followed up his more professional papers on the Aramaic papyri of Elephantine by an exposition of the whole matter for the general reader, *Der Papyrusfund von Elephantine* (Leipzig, J. C. Hinrichs, 1912, pp. 128), in which he treats, in his masterly manner, of Elephantine and the papyri, of their linguistic characteristics, of the condition of Egypt under the Persians, of the Jewish colony in Elephantine, and of all the light which the papyri cast upon the religious development of that community and the parallel development at Jerusalem. An appendix treats of the story of the Wise Ahikar in the light of the new manuscripts. For a full exhibit of the whole material resort must be had to Dr. Eduard Sachau's *Aramäische Papyrus und Ostraka aus Elephantine*, a quarto book of 75 photographic facsimiles with 290 pages of text, published by the same firm.

The 45th fascicle of Saglio and Pottier's *Dictionnaire des Antiquités Grecques et Romaines* has been recently issued, forming the second part of tome IV. (pp. 1457-1601), and proceeding from *stamnus* to *syrix*. The death of M. Saglio was announced in December.

A recent study of considerable immediate interest is W. Thieling's *Der Hellenismus in Kleinafrika* (Leipzig, Teubner, 1911, pp. xii, 216). It is based mainly on the inscriptions, and comes down to the Arab invasion, special attention being given to the spread of Roman influence and of Christianity. Some severe strictures on the book appear in the last issue of the *Byzantinische Zeitschrift*.

From the Cambridge University Press has come part I. of a *History of Roman Private Law*, by Dr. E. C. Clark, regius professor of civil law, dealing with the primary and secondary sources for the study of Roman private law.

B. G. Teubner of Leipzig announces the publication of *Das Nachrichtenwesen des Altertums mit besonderer Rücksicht auf die Römer*, by Dr. Wolfgang Riehl. This is asserted to be the first effort to investigate

the historical development in this field, and deals with both the methods and the products of the impulses to communication.

Miss Selatie E. Stout, in a Princeton dissertation on the *Governors of Moesia* (Princeton, pp. xii, 97), has with much scholarship laid a solid basis for the history of the province from its conquest to the beginning of the reign of Diocletian, by stating and discussing all the passages in the original sources, narrative and epigraphic, which relate to the successive rulers of the province and its divisions.

Noteworthy articles in periodicals: Rudolf von Scala, *Die Anfänge Geschichtlichen Lebens in Italien* (Historische Zeitschrift, CVIII. 1); E. Kornemann, *Die älteste Form der Pontifikalannalen* (Klio, XI. 2); A. von Premerstein, *Untersuchungen zur Geschichte des Kaisers Marcus* (*ibid.*, 3).

EARLY CHURCH HISTORY

The Prussian Academy, through its Kirchenväter-Commission, has lately published Theodoret, ed. L. Parmentier (Leipzig, Hinrichs, pp. 427), and the *Chronicle* of Eusebius, translated from the Armenian (pp. lvi, 320), ed. Joseph Karst.

Mgr. Duchesne's *Early History of the Christian Church*, volume II., is announced by Mr. John Murray as among the spring books. The work, in the Italian translation of its French original, has been proscribed by the Congregation of the Index.

The *Geschichte der Altchristlichen Literatur* of Professor H. Jordan of Erlangen (Leipzig, Quelle and Meyer, 1911, pp. xvi, 521) takes rank immediately among Catholic scholars as a standard treatise, marked by originality as well as learning.

MEDIEVAL HISTORY

Volume II. of the *Cambridge Medieval History* is promised for early publication by the Macmillan Company with the title *The Rise of the Saracens and the Foundations of the Western Empire*.

Foord's *The Byzantine Empire* is not much longer than Oman's well-known sketch in the *Story of the Nations* series; it contains far more statements of fact, frequently incorrect, but is not as well written. It is confined mainly to the political and military events, and does not throw much light upon the real and great services of the Empire to European civilization. It lacks a bibliography and foot-notes citing authorities, and it is of little service to students.

Valentine de Milan, Duchesse d'Orléans (Plon) by Émile Collas, is a minute history of the life of Valentine of Milan and its connection with the fortunes of France.

An important topic in the later history of medieval Catholicism and in that of the Reformation is treated with abundant scholarship by Dr.

H. De Jongh in his *L'Ancienne Faculté de Théologie de Louvain au Premier Siècle de son Existence, 1432-1540* (Paris, Roger and Chervin, 1911, pp. 268, 90, xlvii).

Noteworthy articles in periodicals: Paul Allard, *Les Origines du Servage*, IV. (*Revue des Questions Historiques*, January); N. Paulus, *Die Wertung der weltlichen Berufe im Mittelalter* (*Historisches Jahrbuch*, XXXII. 4); J. Haller, *Die Karolinger und das Papsttum* (*Historische Zeitschrift*, CVIII. 1); William Turner, *John the Scot* (*Catholic University Bulletin*, February); G. Buschbell, *Papsttum und Untergang des Templerordens* (*Historisches Jahrbuch*, XXXII. 3).

MODERN EUROPEAN HISTORY

The Hispanic Society of America has in press the *Genoese World Map, 1457*, to be published in facsimile in colors and in size of the original, with critical text (approximately 100 pp.) by Dr. Edward L. Stevenson. This is number 3 of the series of which the maps of Hondius and Canerio are numbers 1 and 2 respectively.

It is late, but we hope not too late, to mention the issue of the third volume of Father Conrad Eubel's standard *Hierarchia Catholica Medii Aevi* (Münster, Reyensberg, 1910, pp. viii, 384), prepared by him and by Father Willem van Gurik, and embracing in its lists of cardinals and bishops the whole sixteenth century from 1503, where the second volume ended.

F. Alcan, of Paris, has published a revised and enlarged second edition of Ernest Lemonon's *L'Europe et la Politique Britannique, 1882-1911*, with an appendix on the recent British constitutional crisis and a preface by M. Paul Deschanel.

Besides the German translation mentioned in a former issue, the Russian general staff's history of the Russo-Japanese War is rapidly appearing in a French translation, *Guerre Russo-Japonaise*, of which the third tome (Paris, Chapelot, two volumes, pp. 586, 458), extending to the end of the battle of Liaoyang, has lately appeared.

The *History of the Russo-Japanese War*, prepared by the general staff of the Japanese army, is to be published through the Army Club at Tokio, in ten volumes of about 8,000 pages, brought out at intervals of two months, the first in May, 1912, the last in October, 1913. There will be also ten volumes of maps, published at the same time, and embracing 800 maps.

Noteworthy articles in periodicals: J. F. Chance, *The Treaty of Charlottenburg* (*English Historical Review*, January); C. K. Webster, *Castlereagh and the Spanish Colonies, 1815-1818* (*ibid.*); F. Ch. Roux, *La Russie, la France, et la Question d'Orient après la Guerre de Crimée* (*Revue Historique*, March-April); P. Muret, *La Politique Française*

dans *l'Affaire des Duchés et les premiers Essais d'Intervention Européenne jusqu'à l'Invasion du Slesvig*, II. (Revue d'Histoire Moderne et Contemporaine, November–December); Richard Fester, *Neue Beiträge zur Geschichte der Hohenzollerischen Thronkandidatur in Spanien*, I. (Historische Vierteljahrschrift, XV. 1); F. Rachfahl, *Das Judenthum und die Genesis des modernen Kapitalismus* (Preussische Jahrbücher, CXLVII. 1).

GREAT BRITAIN

The Camden Miscellany, volume XII. (London, Royal Historical Society, 1910 [1911], pp. x, 296) contains two London chronicles from the collections of John Stow, edited by Mr. C. L. Kingsford, relating chiefly to the reign of Edward VI.; a life of Sir John Digby, brother of Sir Kenelm Digby, from a manuscript in the National Library at Paris; a brief narrative of the insurrection of 1685 by Adam Wheeler, a drummer in the Wiltshire militia; and 100 pages of documents on common rights at Cottenham and Stretham in Cambridgeshire, edited by Archdeacon Cummingham.

Professor George B. Adams of Yale is preparing for publication by the Yale University Press a work on *The Origin of the English Constitution*.

Volume I. of *The Glastonbury Lake Village: a Full Description of the Excavations and the Relics Discovered, 1892–1907*, by Arthur Bulleid and Harold St. George Gray, recently published by the Glastonbury Antiquarian Society, is a valuable record of 15 years' work performed under the highest scientific auspices and exhibiting fully the appliances and life of a village of the early iron age numbering probably some 300 persons.

The Great Days of Northumbria, by J. Travis Mills (Longmans, 1911, pp. vi, 214) consists of three lectures dealing with the politics, the religion, and the learning of Northumbria from the close of the sixth to the beginning of the ninth century. The lectures, two of which were delivered at the annual meeting of the Cambridge University Extension students, are of slight substance and can be of little interest to students.

Early Norman Castles in the British Isles, by Mrs. E. Armitage (John Murray), is an attempt to prove that the castles built by the Normans in the British Isles were earthworks with wooden buildings upon them. Its numerous illustrations make it an aid in the study of castle architecture.

Mr. William George Black's *The Civil and Ecclesiastical Parish in Scotland: its Origin and Development*, a body of lectures delivered at the University of Glasgow, is an argument intended to prove that the Scottish parish originated with a civil rather than a religious community.

Messrs. Putnam, as agents for the Cambridge University Press, announce *Royal Charters of the City of Lincoln, Henry II. to William III.*, transcribed and translated with an introduction by Mr. Walter de Gray Birch.

The Pipe Roll Society has published *The Great Roll of the Pipe for the Twenty-Ninth Year of the Reign of Henry II.*, 1182-1183, edited by Mr. J. H. Round.

A new series of historical dissertations, the *Jenaer Historische Arbeiten*, edited by Alex. Cartellieri and Walther Judeich, is opened with a study by Dr. Rudolf Jahncke entitled *Gulielmus Neubrigensis, ein Pragmatischer Geschichtsschreiber des zwölften Jahrhunderts* (Bonn, A. Marcus and E. Weber, 1912, pp. 160). It is the author's doctoral dissertation, and is devoted to the examination of William of Newburgh's *Historia Rerum Anglicarum*, a work which is credited with historical acumen far above the medieval average.

One of the most recent of "source books", *A Hundred Years of History, 1216-1327*, by Miss Hilda Johnson, assistant lecturer in history at the University of Manchester (Longmans, 1912, pp. xv, 292) avoids the scrappy effect usual in books of its kind by presenting, in translation, a connected narrative.

Harvard University announces the immediate publication (Longmans) of a *History of the British Post Office*, by Professor J. C. Hemmion of McGill University.

The Administration of the English Borders during the Reign of Elizabeth, by Charles A. Coulomb (Philadelphia, University of Pennsylvania), presents a valuable study of the administrative conditions in the Welsh and Scottish Marches during this period.

The Catholic Record Society, continuing a work begun in 1878, has issued to its members the Third, Fourth, and Fifth Diaries of the English College of Douay, edited by Dr. Edwin Burton of St. Edmund's College and the Reverend Thomas L. Williams. Search is being made for the lost Sixth Diary.

Professor Charles H. Firth has brought out a second edition of his invaluable book on *Cromwell's Army* (London, Methuen, pp. xviii, 444). No serious changes have been made from the edition printed in 1902, but references have been made to such literature of the subject as has since been published.

The Beginnings of Quakerism, by William Braithwaite, president of the Woodbrooke Settlement, near Birmingham, is published by the Macmillan Company with an introduction by Professor Rufus M. Jones, and is expected to take rank as the standard work on the early history and development of Quakerism.

Mr. John Murray announces the *Life of James, First Duke of Ormonde, 1610-1688*, by Lady Burghclere, and a series of lectures on

The Decline and Dissolution of the Moghul Empire, by Mr. Sidney J. Owen, reader in Indian history at Oxford.

The author of *The Life of Admiral Lord Anson, the Father of the British Navy, 1697-1762* (Murray), Mr. Walter Vernon Anson, gives a picture of home and foreign politics of the period as well as the story of Lord Anson's life.

Though its chief emphasis is on the development of economic thought, *The Trade of the East India Company from 1709 to 1813*, by Mr. F. P. Robinson (Cambridge University Press) is of some interest to general students of history.

Among the recent publications of Messrs. Longmans is a new issue of May's *Constitutional History of England since the Accession of George III.*, to which a third volume, covering the period from 1860 to the present, has been added by Mr. Francis Holland.

Longmans have brought out volumes I. and II. of *The Eve of Catholic Emancipation: being the History of the English Catholics during the first Thirty Years of the Nineteenth Century*, by Bernard Ward. A third volume is to appear.

Volume VII. of Mr. J. W. Fortescue's *History of the British Army* is to be issued by Macmillan this spring.

The Ricardian Socialists, by Dr. Esther Lowenthal of Smith College (Columbia University Studies, vol. XLVI, no. 1, New York, Longmans, 1911, pp. 105), is an attempt to estimate the scientific element in the reasoning of William Thompson, John Gray, Thomas Hodgskin, and John Francis Bray.

The Life of Cardinal Newman, by Mr. Wilfrid Ward, based on the cardinal's private journals and correspondence, has just been issued by Longmans, Green, and Company.

The Scottish History Society intends before long to issue the second volume of the *Diary of Johnston of Wariston*, a volume on the Scots in Poland, the *Accounts of the Chamberlains and Granitars of Cardinal Beaton*, and *Bailie Stuart's Letter-Book*.

The New Spalding Club has issued to members the first volume of *The Records of Inverness* and the third of *The House of Gordon*. The society expects to issue the second volume of the former before long and also, in due course, a volume dealing with Agriculture in Northeastern Scotland, a volume of Selections from the Records of the County of Banff, a Bibliography of the Shires of Aberdeen, Banff, and Kincardine, the second volume of *Father Forbes Leith's Records of the Scots College*, and a book on the rise of natural science in the north of Scotland by Professor Traill.

The National Library of Wales has issued (Aberystwyth) a *Catalogue of Tracts of the Civil War and Commonwealth Period relating to*

Wales and the Borders, which, though in this first edition not perfect, is a valuable aid to students of this period.

British government publications (Historical Manuscripts Commission): *Report on the Manuscripts of Lord Middleton* [medieval], ed. W. H. Stevenson; *Report on the Manuscripts of the Earl of Denbigh*, part V. [1537-1787], ed. Mrs. S. C. Lomas; *Calendar of the Manuscripts of the Marquess of Ormonde, K. P.*, new series, vol. VI. [1677-1685], ed. C. L. Falkiner and F. E. Ball; *Report on the Pepys Manuscripts preserved at Magdalene College, Cambridge* [papers which Pepys borrowed from John Evelyn], ed. E. K. Purnell.

Noteworthy articles in periodicals: F. H. M. Parker, *The Forest Laws and the Death of William Rufus* (English Historical Review, January); Miss L. B. Dibben, *Chancellor and Keeper of the Seal under Henry III.* (*ibid.*); J. P. Whitney, *The Elizabethan Reformation* (Quarterly Review, January); A. O. Meyer, *Der Toleranzgedanke im England der Stuarts* (Historische Zeitschrift, CVIII. 2); E. Dolléans, *L'Évolution du Chartisme*, V. (Revue de Synthèse Historique, December); Alexander Gray, *The Old Schools and Universities in Scotland* (Scottish Historical Review, January).

FRANCE

The new *Revue des Études Napoléoniennes*, edited by M. Édouard Driaault, makes an admirable beginning with its number for January, 1912. Studies upon the period of both the first and the third Napoleon are to be embraced in its scope, though naturally the former will predominate. The editor, in the opening article, reviews the history of Napoleonic studies and publications. The unwearied M. Frédéric Masson follows with an article on "Le Comte de Montholon avant Sainte Hélène". M. René Schneider follows with a paper on the relation of the art of Canova to imperial France. Under the title "Souvenirs du Centenaire" the editor presents a running account of the events of January and February, 1812, with references to the sources and the modern literature. The section of documents is marked by large and interesting extracts from the correspondence of Czar Alexander I. with his sister, the Grand Duchess Catherine, recently published in Russia. One of the most useful portions of the contents is a careful survey of the literature of the internal political history of the First Empire, to be followed by similar bibliographical surveys in subsequent numbers. Excellence of contents seems guaranteed by the list of the supporting committee, which embraces most of the names, in France and in other countries, which are chiefly associated with Napoleonic studies.

Dr. W. Ganzenmüller supplies for the *Archiv für Kulturgeschichte*, IX. 3, a bibliographical review of the history of French civilization.

A decree of December 14, 1911, has subjected the Archives Nationales to a reorganization which seems to consist in forming three sec-

tions instead of four: one for the documents up to 1790, one for those after 1790, and one for administration and for departmental and communal archives. It does not seem probable that the changes will be of importance to investigators.

The managing committee of the Société d'Histoire de la Révolution has requested the Minister of Public Instruction to provide in the *écoles normales primaires* instruction by the departmental archivists in the nature, organization, and uses of the communal archives. A beginning had already been made in such instruction in 1911 by M. Camille Bloch in the École Normale of Saint-Cloud.

The manuscripts added to the historical library of the city of Paris in 1906-1910, about 350 in number, are described in a catalogue prepared by M. Gabriel Henriot (*Ville de Paris, Bulletin de la Bibliographie et des Travaux Historiques*, V., Impr. Nat., 1911, pp. 208).

Tome XLIV. of the *Catalogue Général des Manuscrits des Bibliothèques Publiques en France: Départements* (Paris, Plon-Nourrit, 1911, pp. 733) contains a catalogue of the Collection Mancel (at Caen, and very important for the history of that city and in some degree for Norman history in general), and a second supplement to the catalogue of the manuscripts of the library of Avignon, being the acquisitions of 1901-1909 (386 items).

The historical and archaeological activity of the south of France is well represented in a general review begun in the *Revue des Questions Historiques* for January by M. Édouard Albe under the title "Chronique du Midi de la France".

M. Pierre Champion, after many special publications relating to Duke Charles of Orleans and his period, has lately published a general *Vie de Charles d'Orléans, 1394-1465* (1911, pp. xv, 717), which on the basis of minute knowledge gives due attention to all the political and literary aspects of its subject.

Among the constantly increasing biographies of women an unusually interesting and scholarly one is that of *Margaret of France, Duchess of Savoy, 1523-1574*, by Miss Winifred Stephens (London, John Lane).

There has been added recently (after a long delay) to the *Recueil des Instructions* of French ambassadors before the Revolution a volume by Professor B. Auerbach embracing the material relative to the ambassadors to the Germanic Diet.

The Société de l'Histoire de France has agreed to a proposal from M. Jean Lemoine for publishing a collection of *Lettres de Louis XIV.*, embracing only the personal or cabinet letters of the monarch, for the first part of his reign, down to about 1685.

The Yale University Press will shortly issue a volume on *Colbert's West India Policy*, the fruit of several years' researches in the French archives, by Mr. Stewart L. Mims.

The Minister of Public Instruction, on the recommendation of the Commission des Missions, has entrusted to M. Fernand Caussy the task of making a study of the manuscripts and library of Voltaire, now preserved at St. Petersburg. A similar study has been made of the Diderot material, also at St. Petersburg, by M. Maurice Tourneux.

E. Leroux, of Paris, publishes in the *Bibliothèque d'Histoire Révolutionnaire*, of which M. Albert Mathiez is editor, a study by François Vermale entitled *Les Classes Rurales en Savoie au XVIII^e Siècle* (1911, pp. 327). The author has worked considerably in the French revolutionary field and aims in this volume to do for rural conditions in Savoy what was done by M. Henri Sée for the rural conditions of Brittany before the Revolution. The book is based mainly on departmental and private archives, is distinguished by the large amount of statistical material presented, and is marred by a very inadequate index. It will be of special interest as throwing light on a region of an intermediary character and thus aiding in the study of the relations between French and Italian conditions under the old régime.

Tome II. of Professor Maxime Kovalevsky's *La France Économique et Sociale à la Veille de la Révolution* is devoted to *Les Villes* (Paris, Girard and Brière, 1911, pp. 320).

MM. Édouard Cornély and Company have brought out a new edition of their valued list, *Les Ministères Français, 1789-1911*, corrected, and enlarged, by a useful history of the growth of the executive departments, to a pamphlet of 79 pages. This will be followed, in their "Série des Instruments de Travail", by a list of intendants of the provinces under the old régime. There has also appeared recently a volume which is in some degree complementary, H. Noëll's *Les Ministères, leur Organisation, leur Rôle*.

The December session of the Commission d'Histoire Économique de la Révolution took up anew the matter of the publication of *cahiers*, and decided that, as it would be impossible to publish all, only a few additional complete local collections would be added to those which are now in print, and which represent the chief sections of the country. For the remainder it has been decided to publish "répertoires . . . avec des extraits", showing what was original or not to be found elsewhere.

As an accompaniment to the publication of the first volume of the *Oeuvres Complètes* of Robespierre, E. Leroux publishes a volume entitled *Les Portraits de Robespierre: Étude Iconographique et Historique: Souvenirs, Documents, Témoignages*, by Hipp. Buffenoir (72 plates).

One of the most recent additions to the *Collection de Documents inédits sur l'Histoire Économique de la Révolution Française* is entitled *Procès-Verbaux et Rapports du Comité de Mendicité de la Constituante, 1790-1791*, and is edited by MM. Camille Bloch and A. Tuetey (Paris, Impr. Nat., 1911, pp. lx, 847). The work of this committee was of

remarkable quality. This volume now establishes the fact that this work was due mainly to the Duke of La Rochefoucauld-Liancourt, whose name was first in the original membership. Of the material here published the *Procès-Verbaux* have been up to the present time unpublished, but the *Rapports* are for the most part already printed (with variations) in the *Archives Parlementaires*. The editors have supplemented both classes of documents by additional documents from the scanty remains of the labors of the committee (most of whose voluminous archives have disappeared), and by copious notes. A full index is appended.

The important edition by M. Debidour of the *Recueil des Actes du Directoire Exécutif* has been advanced by the publication of volume II. from the 1st Germinal to the 15th Messidor an IV. The volume is provided with an index for both volumes.

An important section of the work of Sorel has already been subjected to a thorough revision by M. Raymond Guyot, the result having been recently submitted at the Sorbonne as a thesis for the doctorate. It is entitled *Le Directoire et la Paix de l'Europe du Traité de Bâle à la Deuxième Coalition* (Paris, 1911, pp. 956). The work is based largely on material not used by Sorel and it is said to seriously affect many of his conclusions. M. Guyot has also published *Documents Biographiques sur J. F. Reubell* (Paris, Berger-Levrault, 1911).

The *époque contemporaine* is the field of E. Driault's bibliographical bulletin of French history for the January-February issue of the *Revue Historique*.

The October number of the *Revue de Synthèse Historique* contains a general survey of the literature relative to French Protestantism in the nineteenth century, prepared by M. Georges Weill.

Plon, Nourrit, and Company, of Paris, have published *La Vie Politique de François de Chateaubriand*, by Albert Cassagne. The new edition of the *Oeuvres* of Chateaubriand is making steady progress.

Lieutenant-Colonel Picard follows up his work on the war of 1870 in Alsace by two volumes of accurate narrative and penetrating criticism entitled *1870: la Guerre en Lorraine* (Paris, Plon, 1911, pp. 334, 373).

At a recent meeting of the "Commission des Recherches sur l'Histoire de Paris pendant la Révolution et l'Époque Contemporaine" it was decided to recommend to the municipal council the publication of M. Tuetey's *Répertoire* (continuation), of the *Procès-Verbaux* of the Commune of 1871, and of a new series of documents on Paris, 1794-1795, edited by P. Caron.

The Librairie Fasquelle, of Paris, has published the seventh and last volume of M. Jacques Reinach's detailed *Histoire de l'Affaire Dreyfus*. An index to the whole work is included.

Noteworthy articles in periodicals: E. Lesne, *Nicolas I. et les Libertés*

des Monastères des Gaules (Le Moyen Age, XXIV.); S. Canal, *Les Origines de l'Intendance de Bretagne* (Annales de Bretagne, XXVI. 4); A. Gans, *L'Organisation Financière du Clergé de France à l'Époque de Louis XIV.* (Revue d'Histoire Moderne et Contemporaine, November-December); M. de Ségur, *Au Couchant de la Monarchie: la Succession de Turgot* (Revue des Deux Mondes, January 15); Ph. Sagnac, *Les "Archives Parlementaires" et l'Histoire de la Révolution* (Revue d'Histoire Moderne et Contemporaine, January-February).

ITALY AND SPAIN

The most recent installment of Dr. L. M. Hartmann's authoritative *Geschichte Italiens im Mittelalter*, III. 2, *Die Anarchie* (Gotha, Perthes, 1911), deals with eighty years from the death of the emperor Louis II. in 875 to 955.

A recent book of both historic and literary interest is *L'Anglomania e l'Influsso Inglese in Italia nel Secolo XVIII.* (Turin, Loescher, 1911, pp. xxxiv, 431). Reference might be made also to Paul Hazard's *La Révolution Française et les Lettres Italiennes* (1789-1815), published by the same house in 1910.

The work of H. Weil on Joachim Murat was much facilitated by the use of the manuscript correspondence of Queen Marie-Caroline in the possession of the Marchesa Amalia di Somma Circello. This collection of letters has now been published under the joint editorship of M. Weil and the Marchese C. di Somma Circello under the title *Correspondance inédite de Marie-Caroline, Reine de Naples et de Sicile, avec le Marquis de Gallo* (Paris, Émile-Paul, 1911, two volumes, pp. cxii, 546, 678). The period covered is 1785-1806, and 1400 pieces are published in part or in summary.

Signor T. Palamenghi-Crispi has followed his volume of documents on his uncle's part in the expedition to Sicily by *Giuseppe Mazzini: Epistolario Inedito, 1836-1864* (Milan, Treves). Still another book on the Risorgimento is *Memorie del Risorgimento dal 1848 al 1862* (Milan, Cogliati), by Giovanni Cadolini, who joined the volunteers in his native town, Cremona, in 1848 when he was but seventeen and served the cause of Italian freedom until the proclamation of unity in 1861.

Among the numerous contributions of the year to Italian history none is of greater importance than the volume of documents collected by Dr. G. E. Curatulo, *Vittorio Emanuele, Garibaldi, Cavour nei Fasti della Patria* (Bologna, Zanichelli). This volume, selected from a collection of documents which Dr. Curatulo has been gathering for years, deals chiefly with the preparations for Garibaldi's Sicilian expedition, and parts of it, as the correspondence between Victor Emmanuel and Garibaldi, are of unusual interest.

More recent Italian history is treated in *Cinquant' Anni di Storia*

Italiana (Milan, Hoepli) by a number of authors under the auspices of the Accademia dei Lincei, a volume which deals with economic and scientific progress in Italy as well as with political history from 1861 to 1910.

The first year's work of the historical section of the Junta para Ampliación de Estudios has led toward the preparation of a *Colección de Documentos para la Historia de las Instituciones de León y Castilla*, edited by Don Eduardo de Hinojosa, containing cartularies of the Order of Santiago and of a variety of municipalities. The mission of seven members sent by the Junta to Rome has been framing an inventory of documents relating to the history of Spain before the fourteenth century, listing documents in the Nunziatura di Spagna, indexing the registers of Calixtus III. and Alexander VI., and cataloguing various Spanish manuscripts.

A large variety of interesting work by foreigners has been going on during the present year in the Archives of the Indies. Besides the briefer and more casual labors of individual American and other students pursuing tasks of their own, Father Pablo Pastells is continuously laboring for the Society of Jesus upon the documents for its history in Spanish America. Fray Enrique Vacas Galindo, a Dominican of Ecuador, Señor Gaspar Viñas of the Biblioteca Nacional of Buenos Aires, Señor Rómulo Cardia of the Archivo General of Argentina, Señor Carlos Travieso of Uruguay, and Señor Americo Lugo of the Dominican Republic have, as official agents, been collecting documentary materials for the history of their respective countries, while Dr. Rudolfo R. Schuller, at the instance of the Biblioteca Nacional of Rio Janeiro and the Museu Goeldi of Pará, has been completing his studies regarding the legend of El Dorado and the discovery of the Amazon. The work of Mr. Roscoe H. Hill for the Carnegie Institution of Washington has been elsewhere described.

Noteworthy articles in periodicals: H. Nelson Gay, *Fifty Years of Italian Independence: from Naples to Tripoli* (The Nineteenth Century and After, January).

GERMANY, AUSTRIA, AND SWITZERLAND

Professor A. Riese will shortly publish with Teubner, of Leipzig, a work entitled *Das Rheinische Germanien in den Inschriften*; it is designed as a companion study to the same author's *Das Rheinische Germanien in der Antiken Literatur*. It will be for the most part a reproduction of the inscriptions with but few notes and with full indexes.

M. Johannes Hoops has published the first volume of a *Reallexikon der Germanischen Altertumskunde* (Strassburg, Trübner).

The latest issues in Brandenburg and Seeliger's *Quellensammlung zur Deutschen Geschichte* are edited by Mario Krammer under the title

Quellen zur Geschichte der Deutschen Königswahl und des Kurfürstenkollegs.

A new controversy as to the relative territorial establishment of Teutons and Slavs was excited in 1907 by an article by Kühnel in the *Forschungen zur Geschichte Niedersachsens*. One of the disputants, W. Ohnesorge, has now published (Leipzig, Lübeck and Nöhring) a volume entitled *Ausbreitung und Ende der Slawen zwischen Nieder-Elbe und Oder* (1911, pp. 404). In this he contends that the Slavs were not driven out, but that after withstanding the German and Danish onslaughts of the later twelfth and early thirteenth centuries they were gradually assimilated by the Germans. The work appears to represent a thorough investigation of Slav remains in these regions.

Professor Albert Hauck's *Kirchengeschichte Deutschlands* (Leipzig, J. C. Hinrichs, 1911, pp. viii, 582) continues this standard narrative into the later Middle Ages, from 1250 to 1374.

An interesting fact with regard to the progress in the unearthing of documentary matter is presented through the recent publication of a supplementary volume to the first Halbband of the *Dortmunder Urkundenbuch*, published in 1880 and coming down to 1340. The new *Ergänzungsband I.*, edited by Dr. Karl Rübel, comes to 1350, contains 906 numbers, and is larger than the original volume (Dortmund, Verlag des Historischen Vereins, 1911, pp. vi, 511).

Among the numerous publications that result from the present great activity in the study of Luther the most noteworthy is probably the very detailed life from the distinguished Roman Catholic author, Hartmann Grisar, S.J., professor in the University of Innsbruck. All three volumes have now appeared (Herder, Freiburg i. B.). It has aroused much interest in Germany.

Heft 6 of the *Frankfurter Historische Forschungen* edited by Professor G. Küntzel is entitled *Die Reichstage der Jahre 1544-1545*, and is the second part of Dr. Paul Heidrich's *Karl V. und die Deutschen Protestanten am Vorabend des Schmalkaldischen Krieges* (Frankfort, J. Baer and Company, 1912, pp. 161). Part I. dealt with the Reichstag of 1541-1543; the present installment traces the pushing on by Charles of the policy of repression to the point immediately preceding the opening of hostilities.

The publication of a collection of extracts from old German journals with special reference to Kulturgeschichte has been begun by E. Buchner under the title *Das Neueste von Gestern: kulturgeschichtlich interessante Dokumente aus alten Deutschen Zeitungen*, and Band I. has been issued, dealing with the sixteenth and seventeenth centuries. Four volumes are planned, to come through the eighteenth century (Munich, A. Langen, 1911, pp. xiv, 330).

Band XX. in the *Urkunden und Aktenstücke zur Geschichte des Kurfürsten Friedrich Wilhelms von Brandenburg* is Band IV. of *Auswärtige Akten* and deals at length with the relations with France, 1667-1688. It is edited by Dr. Ferdinand Fehling (Berlin, G. Reimer, 1911, pp. xiv, 1304).

A large number of items in the recent German catalogues bear witness to the wide interest in the second centenary of the birth of Frederick the Great, celebrated January 24. Very little of the output however seems noteworthy. Dr. George Schuster's *Geschichte des Preussischen Hofes* accommodates itself to the occasion by starting with the first part of Band II., this being a presentation by Dr. F. Arnheim of *Der Hof Friedrichs des Grossen*, though the section now published deals only with *Der Hof des Kronprinzen*. Some new letters of Frederick to the Duke of Brunswick in 1785 have been edited by H. Droysen (Berlin, J. A. Stargardt).

Heft 44 of the *Schriften des Vereins für die Geschichte Berlins* is Dr. R. Wolff's *Berliner geschriebene Zeitungen aus dem Jahre 1740: der Regierungsanfang Friedrichs des Grossen* (Berlin, Mittler and Son, 1911, pp. xxviii, 171).

Duncker and Humboldt, of Leipzig, issue among the publications of the Verein für die Geschichte in Ost- und Westpreussen a work by Paul Czygan entitled *Zur Geschichte der Tagesliteratur während der Freiheitskriege* (two volumes in three parts, pp. xv, 463; xvi, 475; xv, 384). There is also announced an *Illustrierte Geschichte der Befreiungskriege* by J. von Pflugk-Harttung, in 40 fascicles, to be published at Stuttgart.

The Burschenschaftliche Historische Kommission founded in 1909 has published, under the editorship of H. Haupt of Giessen, Band I. of *Quellen und Darstellungen zur Geschichte der Burschenschaft und der Deutschen Einheitsbewegung* (Heidelberg, K. Winter). Much progress has been made in the gathering of material in consequence of a systematic examination of the German archives, and a *Quellenrepertorium* is planned. The commission has also entrusted to P. Wentzcke the task of writing a *Geschichte der Burschenschaft bis zu den Karlsbader Beschlüssen*, to be ready for the celebration planned for 1915, as also a *Sammlung von Lebensbildern bedeutender Burschenschaften*, by H. Haupt and P. Wentzcke.

Dr. Ludwig von Pastor has published (Munich, Joseph Kösel, 1911, pp. 500) a *Leben des Freiherrn Max v. Gagern, 1810-1889: ein Beitrag zur politischen und kirchlichen Geschichte des 19ten Jahrhunderts*.

Herder, of Freiburg i. Br., has published volume I. of a *Geschichte des Kulturkampfes im Deutschen Reiche*, by Dr. J. W. Kissling. It is to be in three volumes and is published under the direction of the central committee for the "Generalversammlungen des Katholischen Deutschlands". This first volume furnishes a survey of the relations between

the Brandenburg-Prussian government and the papacy from the beginning of the seventeenth century and goes into the preliminaries of the nineteenth-century conflicts down to 1871 in Prussia, Bavaria, Baden, and Hesse. While great attention is at present being given to this subject we do not seem likely to be supplied for some time yet with a dispassionate and conclusive treatment.

In the *Inventare Oesterreichischer Staatlicher Archive* the Direction has published an *Inventar des Archivs des k. k. Finanz-Ministeriums* (Vienna, Hof- und Staatsdruckerei, 1911, pp. 77).

A new book of considerable interest and importance is R. Kralik and H. Schlitter's *Wien: Geschichte der Kaiserstadt und ihrer Kultur* (Vienna, Holzhausen, 1912, pp. xviii, 751, with 555 illustrations).

Band IV. of Dierauer's *Geschichte der Schweizerischen Eidgenossenschaft* (pp. xviii, 551), takes the narrative to 1798. This is one of the issues in Lamprecht's *Geschichte der Europäischen Staaten* (Gotha, Perthes, 1912).

Noteworthy articles in periodicals: Fritz Kern, *Der Mittelalterliche Deutsche in Französischer Ansicht* (*Historische Zeitschrift*, CVIII. 2); Th. Ilgen, *Kritische Beiträge zur Rheinisch-Westfälischen Quellenkunde des Mittelalters*, V. (*Westdeutsche Zeitschrift für Geschichte und Kunst*, XXX. 2, 3); Ludwig Riess, *Was bedeutet "Data" und "Actum" in den Urkunden Heinrich's II.?* *Ein Beitrag zur Methodik der Urkundenlehre* (*Historische Vierteljahrsschrift*, XXII. 4); A. Hofmeister, *Studien über Otto v. Freising*, I. *Der Bildungsgang Ottos v. Freising* (*Neues Archiv*, XXXVII. 1); L. Cristiani, *Les Propos de Table de Luther*, II. (*Revue des Questions Historiques*, January); J. Loserth, *Ständische Beziehungen zwischen Böhmen und Innerösterreich im Zeitalter Ferdinands I.* (*Mitteilungen des Vereines für Geschichte der Deutschen in Böhmen*, L. 1); Otto Herrmann, *Der Feldzugsplan Friedrichs des Grossen für das Jahr 1758* (*Historische Vierteljahrsschrift*, XV. 1); A. Siebert, *Die Entwicklung der direkten Besteuerung in den Süddeutschen Bundesstaaten im letzten Jahrhundert* (*Zeitschrift für die gesamte Staatswissenschaft*, LXVIII. 1); W. E. Lindner, *Das Zollgesetz von 1818 und Handel und Industrie am Niederrhein* (*Westdeutsche Zeitschrift für Geschichte und Kunst*, XXX. 2, 3); P. Devinat, *Le Mouvement Constitutionnel en Prusse de 1840 à 1847*; *Frédéric-Guillaume IV. et les Diètes Provinciales*, III., IV. (*Revue Historique*, January-April); W. Alter, *Die auswärtige Politik der Ungarischen Revolution, 1848-1849* (*Deutsche Rundschau*, January); G. v. Below, *Die Anfänge einer Konservativen Partei in Preussen* (*Internationale Wochenschrift*, 35, 36); M. Georges Goyau, *Bismarck et la Papauté: La Paix, 1878-1889* (*Revue des Deux Mondes*, February 1).

NETHERLANDS AND BELGIUM

The *Geschiedkundige Atlas van Nederland*, prepared during several years past by a learned commission of which the chairman is Professor Blok, has now begun to be issued from the press (the Hague, Nijhoff), the first fascicle containing sheets for the map of the Republic in 1795. The *Atlas* will appear in ninety fascicles, six or eight per annum, of chromo-lithographic maps, each plate about 16 inches by 10. It will extend from the Roman period to the present time, will indicate political, ecclesiastical, legal, and to some extent economic data, and will doubtless represent a very high level of excellence in historical cartography.

The *Nederlandsche Archief voor Kerkgeschiedenis* (IX. 1) contains a full account by Dr. Johannes de Hullu of the Walloon church at Cadzand, 1686-1809, the charter of the Confraternity of Our Lady at Hertogenbosch (1318), and other matters.

Professor P. J. Blok has brought out (the Hague, Nijhoff) a new and completely revised edition of his *Geschiedenis eener Hollandsche Stad [Leyden] in de Middeleeuwen*, first published in 1888. The new work contains much additional material and is carefully adapted to the present state of knowledge of municipal history.

Messrs. Putnam are bringing out in March the fifth and final volume of Professor Blok's *History of the Netherlands*, translated by Mr. O. A. Bierstadt.

The Linschoten Society has just published for 1911, as its fourth volume, *De Reis van Mr. Jacob Roggeveen ter Ontdekking van het Zuidland, 1721-1722*, a collection of documents illustrating the history of that voyage and of the preceding plans of discovery made in 1675-1676 by Arend Roggeveen. The book (the Hague, Nijhoff, pp. xxvii, 331) is edited by Baron Mulert and is accompanied by an appendix on Roggeveen's observations of the variation of the compass, by Dr. W. van Bemmelen.

In commemoration of the twenty-fifth anniversary of Professor Henri Pirenne's accession to the chair of history in the University of Ghent it is proposed to show appreciation of his distinguished services to the cause of history in Belgium by instituting a Fondation Pirenne, the income of which shall be used to send young Belgian scholars upon historical missions in foreign countries. The chairman of the organizing committee is Professor Paul Fredericq of Ghent, to whom subscriptions may be sent.

Messrs. B. van Oest and Company of Brussels have just issued an *Album Historique de la Belgique* prepared by Professor H. Van der Linden of Liège and Dr. H. Obreen with an introduction by Professor Henri Pirenne. The collection includes 250 reproductions of monu-

ments, paintings, statues, and other works of art illustrating the history of Belgium.

The Commission Royale d'Histoire has issued a stout first volume (Brussels, Kiessling, 1911, pp. clxxxviii, 524) of an *Inventaire Analytique des Chartes de la Collégiale de Sainte-Croix à Liège*, by M. Édouard Poncelet, archivist at Mons. Most of the documents described in the volume are of the fourteenth century.

Paul Duchaine's *La Franc-maçonnerie Belge au XVIII^e Siècle* (Brussels, Van Fleteren, 1911, pp. 523) will be a welcome addition in a field still much in need of scientific work.

NORTHERN AND EASTERN EUROPE

Among the Scandinavian books of the season especial interest attaches to the edition of the collected works of Professor J. E. Sars, of Christiania, the veteran scholar and writer, whose monographs and general histories have illustrated most portions of Norwegian history.

The Commission for the Sources of Norwegian History has during the past two years been publishing important material in the collection entitled *Aktstykker til de Norske Stotendermoeters Historie*, dealing particularly with the later sixteenth century.

A general review by G. Gautier of the publications of 1910 in the field of Russian history appears in the *Revue Historique* for January-February.

There has been established at St. Petersburg under the direction of M. Reau, professor at the University of Nancy, an Institut Français, intended to be a centre for higher instruction in French history and French literature and for Slavic studies. The Institute will undertake the publication of a *Bibliothèque* and the work of French students in Russia will be facilitated in various ways.

Professor V. O. Kliuchevsky's *History of Russia*, stated by the *Russian Review* to be the latest and best general history of Russia which we have, is now made accessible to English readers, with some abridgment in parts, in a translation by C. J. Hogarth (London, Dent, vol. I., 1911). Mr. Maurice Baring's *The Russian People* (London, Methuen, 1911) gives a good survey of Russian history based on the best Russian books, such as that of Kliuchevsky.

Michel Sokolnicki discusses in the January-February issue of the *Revue des Sciences Politiques* "Le Testament de Pierre le Grand: Origines d'un prétendu Document historique". As is well known the *Testament* was first published in the second edition (1812) of Lesur's *Les Progrès de la Puissance Russe*; the author of this article shows that the document was of Polish origin and that it first appeared in an *Aperçu sur la Russie* submitted by the Polish General Michel Sokolnicki (pre-

sumably an ancestor of the present writer) to the French Directory, October 19, 1797. It was presented by Sokolnicki as a summary of a document he had seen in the Russian archives; the present writer maintains that this was a fiction and that Sokolnicki had simply put into this form a long existing Polish tradition. No definite proof however is advanced on this point, nor for the further assertion that the Sokolnicki document was revised by Napoleon himself before being published by Lesur.

Some documents of particular interest for Russian administrative and moral conditions under Paul I. are published in the *Revue d'Histoire Diplomatique*, XXV. 4.

To commemorate the year 1812 the Russian state archives, under the direction of M. Sergei Goriainov, have undertaken the publication of a catalogue of all the Russian archive documents, more than 15,000 in number, which relate to the events of that year.

Otto Forst contributes to the *Mitteilungen des Institutes für Oesterreichische Geschichtsforschung*, XXXII. 4, a "critical bibliography of the Polish literature on genealogy" that will be of much wider use than the title might indicate.

Band IV. of N. Jorga's *Geschichte des Osmanischen Reiches* brings the narrative to 1774 (Gotha, Perthes, 1911, pp. xviii, 512).

Noteworthy articles in periodicals: Mme. Inna Lubimenko, *Les Marchands Anglais en Russie au XVI^e Siècle* (*Revue Historique*, January-February); P. Chasles, *M. Stolypine et le Mécanisme Constitutionnel de la Russie* (*Revue des Sciences Politiques*, January-February); Bernard Pares, *The New Land System in Russia* (*Russian Review*, January); Adam de Mokeevsky, *La Réforme Agraire en Russie* (*Revue des Deux Mondes*, January 15).

THE FAR EAST AND INDIA

The Johns Hopkins University Press will before long publish Dr. Charles O. Paullin's lectures on the Albert Shaw Foundation, on *The Diplomatic Activities of the American Navy in the Far East*.

The need for a good brief text on Japanese history seems to be met by a volume published recently by Ferdinand Dümmler of Berlin. It is the *Geschichte Japans* of Hisho Saito, apparently written in German (1912, pp. x, 262).

The Progress of Japan, 1853-1871, by Mr. John H. Gubbins, formerly of the Japanese consular service, is spoken of as the best account extant in any Western language of the constitutional history of Japan during the important period named.

Professor Frederick W. Williams of Yale has published in the China section of the *Journal of the Royal Asiatic Society* a "Journal of the

American Expedition to Tientsin and Peking, 1858-1859", by his father, Dr. S. Wells Williams, a document of much the same historical value as his journal of Commodore Perry's expedition to Japan, noticed in a previous number of this journal (XVI. 136).

AMERICA

GENERAL ITEMS

The Carnegie Institution of Washington has just published its *Guide to the Materials relating to United States History in the German State Archives* (pp. 352), by Professor M. D. Learned of the University of Pennsylvania. All galley-proofs of Professor Bolton's Mexican *Guide* have now been read. Proofs of volume I. of Professor Andrews's *Guide to the Materials for American History, to 1783, in the Public Record Office of Great Britain*, have been partly read. The manuscript of Messrs. Paxson and Paullin's volume for the period subsequent to 1783 has received its final preparation for the printer, and Mr. David W. Parker's *Guide to the Materials for United States History in Canadian Archives* has nearly reached that stage. The director of the Department of Historical Research will be in Europe during the summer.

A *History of the Movement for a National Archive Building in Washington*, presented by Senator Poindexter in connection with his bill (S. 5179) for the erection of such a structure, has been printed as *Senate Document no. 297*, 62 Cong., 2 sess. A hearing on the bill named took place on March 1, and the testimony has been printed.

By a recent modification of the orders hitherto governing the use of the archives of the Department of War, the Secretary of War has extended access to these archives to historical students properly accredited by state historical authorities or societies, or by the director of the Department of Historical Research in the Carnegie Institution of Washington.

A *History of the American Nation*, in nine volumes de luxe, by W. J. Jackman and others, has appeared in Chicago (K. Gaynor).

Among the recent accessions to the Division of Manuscripts in the Library of Congress are: papers of Admiral Andrew H. Foote, U. S. N., being journals of cruises, letter-books, and correspondence; a body of manuscripts relating to the activities of the Inquisition in Spanish America (mostly Mexican); ledgers and account-books, 1740-1796, of Edward Dixon, merchant, of Port Royal, Virginia, forty volumes; miscellaneous official papers of Spencer Compton, earl of Wilmington, relating to the American colonies, including the West Indies, 1675-1765; and about 150 additional Van Buren manuscripts, 1813-1862, including drafts of his autobiography and correspondence. The library is now provided with a photostat, by means of which it can supply photographic copies of manuscripts, maps, rare printed pieces, etc., at a very cheap rate.

The Weidmann firm in Berlin inaugurates a *Bibliothek der Amerikanischen Kulturgeschichte* by publishing, first, a German translation in two volumes of Senator Lodge's *George Washington* from the *American Statesmen* series, and secondly, *Die Amerikanische Literatur*, being the lectures delivered at Berlin a year ago by Professor C. Alphonso Smith as Roosevelt professor. The series is edited by Professor Nicholas Murray Butler and Professor Wilhelm Paszkowski.

Extending through the September and October numbers of the *Magazine of History* is an article by Mark Allen Candler on Bourbon County, Georgia, evidently compressed from "Papers relating to Bourbon County, Georgia, 1785-1786", which appeared in volume XV. (pp. 66-111, 297-353) of this journal. The compiler's statement that the correspondence referred to is in the archives of Georgia is misleading. Most of the story is drawn from letters found elsewhere. In the October number of the *Magazine* appears the concluding portion of the paper on Charles Sumner, by Professor George H. Haynes, and in the November number a paper of Rev. Dr. Daniel Goodwin on "Some early Rhode Island Libraries", read before the Rhode Island Historical Society. "The Story of a Regiment: the Second Dragoons", by W. B. Ruggles, is concluded in the November issue, and James N. Arnold's extracts from the *Providence Gazette* (1778-1780) continue.

In the January number of *Americana* J. C. Pumphrey discusses some questions concerning the battle near Bennington, Vermont; John R. Meader, continuing his "Little Wars of the Republic", recounts the story of John Brown's raid; and Alice G. Waldo continues her articles on the "Continental Agents in America in 1776-1777". The chapters of Brigham H. Roberts's "History of the Mormon Church" deal with the exodus of the Mormons from Illinois.

The President's Cabinet: Studies in the Origin, Formation, and Structure of an American Institution, by Dr. Henry Barrett Learned, has been issued by the Yale University Press and will be reviewed in an early number of this journal.

Professor Chester Lloyd Jones's *Readings on Parties and Elections in the United States* (New York, Macmillan, 1912, pp. xv, 354) is in the main composed of excerpts from good books describing the various aspects of present party organization, nominations, and problems; but a considerable number of well-chosen passages, sometimes from primary sources, sometimes from secondary materials, illustrate the historical development of the system.

The Territorial Basis of Government under the State Constitutions: Local Divisions and Rules for Legislative Apportionment (Columbia University Studies in History, Economics, and Public Law, vol. XL, no. 3, pp. 250), by A. Z. Reed, Ph.D., is an instructive analysis, historically treated, of local divisions in the states.

The American Jewish Historical Society held its twentieth annual meeting in Boston on February 11 and 12. Among the numerous papers presented the following are of especial interest: "The Correspondence of Jews with President Martin Van Buren", by A. M. Friedenberg; "Early Jewish Residents in Massachusetts", by L. M. Friedman; "Jews in the War of 1812", by Leon Hühner; "Twenty Years of the American Jewish Historical Society", by Dr. Cyrus Adler.

The Rev. Thomas Phelan contributes to the *Records of the American Catholic Historical Society* an article upon "Thomas Dongan, Catholic Colonial Governor of New York" (pp. 31), and Rev. E. I. Devitt one on "The Clergy List of 1819, Diocese of Baltimore". The documentary material of this number of the *Records* is the correspondence between Bishop Conwell of Philadelphia and Bishop Plessis of Quebec, 1821-1825, drawn from the archives of Quebec.

Attitude of American Courts in Labor Cases: a Study in Social Legislation (Columbia University Studies in History, Economics, and Public Law, vol. XLII, no. 108, pp. 400), by George Gorham Groat, Ph.D., is a timely effort to gather from the mass of court decisions on labor questions the elements that are of permanent value and bring them into relation with one another and with the vital conditions of present-day industrial life. Until the end of the first quarter of the nineteenth century labor disputes were seldom carried into court, and it was not until the last quarter of the century that such cases became really numerous. The decisions are studied in two general groups, those relating to union activities, such as the strike, the boycott, the black-list, etc., and those relating to legislation upon such subjects as the payment of wages and the hours of labor. It is the author's conclusion that even yet the decisions are greatly lacking in unity and harmony with one another, and that the courts have been too greatly influenced by the precedents set in decisions applicable to conditions that have passed away. Nevertheless there is a discernible tendency on the part of the courts to give more attention to actual present conditions and to adapt the law to these new conditions by reading new meanings into the phrases of constitutions.

The Closed Shop in American Trade Unions (Johns Hopkins University Studies, series XXIX., no. 3), by Frank T. Stockton, Ph.D., includes, besides an examination of the forms, mechanism, and social aspects of the closed shop, several chapters on the history of the closed-shop movement.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

The Linschoten Society has brought out the rare *Korte Historiæ ende Journals Aenteykeninge* of David Pietersz de Vries (the Hague, Nijhoff, 1911, pp. lii, 297), a source important for American history in the middle of the seventeenth century. The reprint has an excellent

introduction and notes by Dr. H. T. Colenbrander. Since the publication a copy of the original has been found, in the possession of Prince Roland Bonaparte, having two maps hitherto unknown in any copy. One of them represents the South or Delaware River, the other the coasts from New England to Virginia. They are said not to contain new data, but will be reproduced as an accompaniment to the recent edition.

Professor Oliver M. Dickerson's *American Colonial Government, 1696-1765: a Study of the British Board of Trade in its relation to the American Colonies, political, industrial and administrative*, based on the papers of the Board of Trade and other manuscripts in London, has just been issued by the Arthur H. Clark Company of Cleveland.

The American Revolution, 1760-1789, volume III. of Professor Edward Channing's *History of the United States*, is soon to be issued by the Macmillan Company.

The Department of State has published in pamphlet form a literal print of the Declaration of Independence, including the names of the signers.

The Yale Press proposes to print the diary kept in Philadelphia from 1793 to 1798 by Moreau de Saint-Méry.

The Maine Historical Society has received as a gift a journal kept by Lieutenant Alexander S. Wadsworth on the *President*, under Bainbridge and Barron, and on the *Constitution*, under Hull.

The January number of the *American Catholic Historical Researches* prints some correspondence between Bishop Cheverus of Boston and Bishop Plessis of Quebec, 1811-1816.

A Retrospect of Forty Years, 1825-1865 (Scribner), by William Allen Butler, is of interest to historical students principally for its chapters on the anti-slavery movement, although there are also interesting pictures of ante-bellum life in New York. The volume is edited by his daughter, Harriet Allen Butler.

Charles Scribner's Sons announce *The Abolition Crusade and its Consequences*, by Hilary A. Herbert, secretary of the Navy, 1893-1897, with a preface by Mr. James Ford Rhodes.

The Arthur H. Clark Company of Cleveland will shortly issue a work in one volume entitled *General W. T. Sherman as College President: a Collection of Letters, Documents, and other Material, chiefly from Private Sources, relating to the Life and Activities of General William Tecumseh Sherman, to the Early Years of the Louisiana State University, and to the Stirring Conditions existing in the South on the Eve of the Civil War, 1859-1861*, the documents having been collected and edited by Dr. Walter L. Fleming, professor of history in the Louisiana State University.

Houghton Mifflin Company have published this spring Gamaliel Bradford's *Lee the American*.

The Formation of the Republican Party as a National Political Organization, by G. S. P. Kleeberg, comes from the press of Moods Publishing Company.

The Macmillan Company have added to their *Special Campaign* series *The Campaign in Virginia and Maryland*, by E. W. Sheppard, and *The American War of Secession, 1863: Chancellorsville and Gettysburg*, by P. H. Dalbiac.

The War Letters of William Thompson Lusk (pp. 304) has been privately printed in New York. The writer of the letters was captain and assistant adjutant-general of volunteers in the Civil War, and afterwards a distinguished physician of New York. The letters begin in June, 1861, and end in August, 1863, and range from South Carolina to New York. The editor has elucidated the letters by occasional extracts from other writings. Preceding the letters are some memorials of Dr. Lusk, including a memoir by Dr. Austin Flint. There are several portraits.

The Siege of Charleston and the Operations on the South Atlantic Coast in the War among the States, by Major-General Samuel Jones, C. S. A., has been published by Neale. The story is from an unfinished manuscript left by General Jones, and is sent forth with a preface by his daughter, Miss Emily Read Jones.

Reminiscences of an Army Nurse during the Civil War, by Adelaide W. Smith, cover the experiences of five years in the Civil War hospitals (New York, Greaves Publishing Company).

A Confederate Surgeon's Letters to his Wife is by Spencer Glasgow Welch, surgeon of the Thirteenth South Carolina Volunteers (New York, Neale). The letters extend from May, 1862, to May, 1865, and are for the most part from the Virginia camps.

From the press of the Stone Printing and Manufacturing Company, Roanoke, Virginia, comes a volume bearing the title *The Immortal Six Hundred: a Story of Cruelty to Confederate Prisoners of War*, by J. O. Murray, "one of the six hundred". The book relates to imprisonment at Morris Island, South Carolina, and at Fort Pulaski, Georgia, and includes a diary, August 20, 1864, to June 5, 1865, kept by Captain A. M. Bedford.

Die Beziehung zwischen Deutschland und den Vereinigten Staaten während des Sezessionskrieges (pp. 93), by Dr. Ralph Lutz of Seattle, Washington, has been published (1911) in Heidelberg by Carl Winter. The book treats not of the diplomatic relations alone but also of those relations which were of an intellectual, economic, or personal character. The diplomatic relations between the United States and Germany were seldom in this period of the greatest moment, although during Bis-

marck's ministry questions concerning the performance of military service in the United States by German residents and in Germany by naturalized citizens who had returned to their native land rose to importance. Bismarck's personal relations to Americans as well as his official conduct are given prominence in the book. The study of the diplomatic phase of the subject is in the main limited to Prussia and the Hanse cities. About half the volume is concerned with setting forth public opinion in Germany upon various aspects of the war, particularly upon the question of slavery. The disposition manifested by the German population in the United States, the attitude of the German press, and also the expressions of publicists and historians receive considerable attention. Lastly, the author investigates, though briefly, the commercial relations between the two countries as affected by the war. In the preparation of the monograph a large variety of sources, both German and American, have been drawn upon, but the author's personal point of view regarding the war appears to have been determined more by the older than by the recent studies of that conflict.

The course of lectures delivered this April at the Johns Hopkins University upon the James Schouler endowment will be given by Dr. Schouler himself, his subject being the administration of President Andrew Johnson.

Mr. Charles Francis Adams has reprinted the articles on the pension system contributed by him to recent issues of the *World's Work*. The pamphlet bears the significant title *The Civil-War Pension Lack-of-System: a Four-thousand-million Record of Legislative Incompetence tending to general Political Corruption*. It is an able and trenchant exposition of the methods pursued in the pension business and of the forces underlying it.

Although at the time of his death John Bigelow had not finished his *Retrospections of an Active Life*, it is understood that material for the remaining volumes was left in such condition that it can be prepared for the press. This will be done by his son, Major John Bigelow, jr.

Mr. Herbert Croly, the author of *The Promise of American Life*, is preparing a life of the late Senator Hanna, which Macmillan will publish. The title will be: *Marcus Alonzo Hanna: his Life and Works*.

Sturgis and Walton Company have published *The Life Story of J. Pierpont Morgan*, by Carl Hovey.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

The New England History Teachers' Association, besides its report on *Historical Sources in Schools* (Macmillan, 1902) and its *Outline of the Study of American Civil Government* (Macmillan, 1910), is now preparing a similar syllabus on economics for short-term commercial and technical schools. The second edition of its *Catalogue of Historical Materials* (maps, models, illustrations, and similar aids for visualizing)

will be issued shortly and can be procured from Dr. M. L. Bonham of Simmons College, Boston, where the collection is exhibited. The association has just brought out two series of reproductions of significant historical portraits and scenes, the first dealing with the kings of England, the second with life at the court of Louis XIV. They are procurable at a low price from Miss Mabelle Moses, 19 Putnam Street, West Newton, Massachusetts. Other such sets are expected to follow.

The November serial of the Massachusetts Historical Society's *Proceedings* contains Mr. Charles Francis Adams's noteworthy paper on the Trent Affair, with a large mass of correspondence relating to that episode, extracted from the Adams manuscripts; also an interesting body of letters, 1827-1834, of Francis Baylies, prominent in Massachusetts politics at that time. The December issue has as its principal contents an incisive paper by Mr. Brooks Adams on the Seizure of the Laird Rams, and an account of Churchmen on the Pascataqua, 1650-1690, by Mr. Frank B. Sanborn. The main element in the January number is a paper on the Recall of John Quincy Adams in 1808, by Mr. Worthington C. Ford, accompanied by a group of letters written by James Lloyd, who supplanted Adams as senator, to John and John Quincy Adams, in 1815-1824.

In the January number of the *Essex Institute Historical Collections* is printed the Revolutionary journal of James Stevens of Andover, Massachusetts. The journal covers practically one year, beginning April 19, 1775, with the march to Lexington. The Salem town records printed in this number are for the years 1674-1677.

William Abbatt has brought out an edition of Rev. Samuel Hopkins's *Historical Memoirs relating to the Housatunnuk Indians under the Ministry of the late Rev. Mr. John Sergeant*.

The Connecticut Historical Society has received from the Johnson family of Stratford a quantity of papers relating to the controversy between the colony of Connecticut and the tribes of Indians settled near Norwich, known as the "Mohegan Case". These manuscripts were among the papers of William Samuel Johnson, in 1767 the colony's special agent for the case in England. They include Indian deeds, letters, testimonies, copies of official documents, maps, and printed briefs.

The Champlain Tercentenary: Report of the New York Lake Champlain Tercentenary Commission, prepared by Henry Wayland Hill, LL.D., secretary of the commission (Albany, J. B. Lyon Company, 1911, pp. xiii, 534), is an elaborate history of the celebration, July 4 to 10, 1909, at Crown Point, Fort Ticonderoga, and other places on Lake Champlain, of the three-hundredth anniversary of the discovery of the lake. Among the addresses were: The Story of Lake Champlain, by Hamilton Wright Mabie, and The Iroquois and the Struggle for Amer-

ica, by Hon. Elihu Root. Included in an appendix are: Samuel Champlain and the Lake Champlain Tercentenary, an address delivered before the Vermont Historical Society on November 10, 1908, by Henry W. Hill; Episodes in the History of the Champlain Valley, and What Travellers said of the Champlain Valley, by Frank H. Severance.

The *Bulletin* of the New York Public Library for January contains (pp. 7-49) part I of a list of works relating to the West Indies possessed by the library.

The library of Columbia University has received by gift from the Johnson family of Stratford, Connecticut, a large mass of manuscripts, letters, and papers of Samuel Johnson, first president of King's College, including an autobiography, and accompanied by some papers of Myles Cooper, second president of the college, and of William Samuel Johnson, the third.

The Vassar Brothers Institute has published an *Account Book of a Country Store Keeper in the 18th Century at Poughkeepsie* (pp. 122), preserved among the papers in the office of the clerk of Dutchess County, New York. The records, extending from 1735 to 1755, are mostly in English but partly in Dutch and embody besides ordinary accounts of debit and credit, which are of interest for the light which they cast upon the life of the time, curious comments upon the lives and characters of people with whom the storekeeper had dealings, as well as upon his transactions.

The *Pennsylvania Magazine of History and Biography* begins in the January issue the publication of a journal kept by William Logan of a journey from Philadelphia to Georgia in 1745. The *Magazine* also presents an English translation, by Adam J. Strohm, of the dedication and preface of the first Swedish edition (1753) of Peter Kalm's *Travels into North America*. This dedication and preface do not appear in the English translations of that work, and the preface is of especial interest as explaining the purposes of the journey and the means by which it was accomplished. Mr. Charles Henry Hart writes a biographical account of Robert Lettis Hooper, deputy quartermaster-general of the Continental army and vice-president of New Jersey. Professor Edward R. Turner gives a history of the first abolition society of the United States, that organized at Philadelphia on April 14, 1775.

Beginning with January, 1912, the *Pennsylvania-German* becomes the *Penn Germania* and hopes to widen its circle of acquaintanceship by becoming a "popular" monthly journal for and about the German element of the United States". The historical feature of the magazine retains prominence. Historical articles in the January number are: "A Vindication of Francis Daniel Pastorius", by H. A. Ratterman; "Genesis, Evolution, and Adoption of the Public School System of

Pennsylvania", by Christopher Heydrick, LL.D.; and a fourth paper on the Germans of Maine, by Garret W. Thompson. The two writers last mentioned continue their studies in the February number.

Mr. E. P. Oberholtzer's *Philadelphia: a History of the City and its People*, in four volumes, has come from the press (Philadelphia, S. J. Clarke).

Provided the advance subscriptions should be sufficient to defray the cost of the enterprise Messrs. Lippincott purpose publishing a limited edition de luxe of a volume entitled *The Colonial Homes of Philadelphia and its Neighborhood*, by H. D. Eberlein and H. M. Lippincott.

The Maryland Historical Society has received from the government at Annapolis a large mass of executive papers covering the period from 1776 to 1867. These are being gradually classified and calendared, and the more important ones are being copied for publication in the *Maryland Historical Magazine*.

The *Maryland Historical Magazine* is reprinting (beginning with the December number) Daniel Dulany's *Considerations on the Propriety of Imposing Taxes on the British Colonies*, a pamphlet which appeared in October, 1765, at the moment when the Stamp Act Congress was in session. Among the other contents of this number of the *Magazine* are the vestry proceedings of St. Ann's Parish, Annapolis, 1712-1719, and some letters from John and Robert Wilmot, Maryland pioneers in Kentucky, 1789-1793.

Part I. of *Old Manors in the Colony of Maryland*, by Mrs. Annie M. L. Sioussat, has been brought out in a pamphlet by the Lord Baltimore Press.

Longmans have brought out a *History of the Protestant Episcopal Church in the Confederate States*, by Bishop Joseph B. Cheshire, of North Carolina. The book is concerned with matters affecting the general interests of the church in the South in the years 1861-1866.

General Officers of the Confederate Army; Officers of the Executive Departments of the Confederate States; Members of the Confederate Congress by States, compiled by General Marcus J. Wright, has been issued by Neale.

Rev. Henry A. White's *Southern Presbyterian Leaders*, which was published recently by Neale, covers the history of Presbyterianism in the South from 1683 to the present time.

The January issue of the *Bulletin* of the Virginia State Library comprises a full index to Stith's *History of Virginia*, prepared by Mr. Morgan P. Robinson. The library has just published another volume of the *Journals of the House of Burgesses* (pp. lii, 441), covering the sessions of 1712 to 1726 inclusive.

In the January number of the *Virginia Magazine of History and*

Biography appear several letters of Governor William Berkeley, 1670-1671, and also some letters of Thomas Ludwell, 1671, one of the latter relating to the "new Pattent for the land between the Rappahannock and potomeck rivers". An installment of a bibliography of the muster and pay rolls, regimental histories, etc., of Virginia's soldiers in the Revolution, with explanatory notes by C. A. Flagg and W. O. Waters of the Library of Congress, occupies 17 pages of the magazine.

The contents of the January number of the *William and Mary College Quarterly* include some letters of John Dandridge to John Hopkins (1787 to 1798) pertaining to business and personal matters; portions of the diary of Colonel Landon Carter (June and July, 1776), largely concerning plantation affairs but also touching politics and war; and a letter, dated April 26, 1832, from John Floyd, governor of Virginia, to Thomas W. Gilmer, concerning the political situation.

Mr. W. G. Stanard has brought out through the Bell Book and Stationery Company of Richmond the memoranda which he has gathered in regard to several hundred emigrants to Virginia during the colonial period whose parentage is shown or former residence indicated by authentic records. The title is *Some Emigrants to Virginia* (pp. 79).

Captain John H. Grabill of Woodstock, Virginia, has recently reprinted the second edition (Woodstock, 1850) of Samuel Kercheval's *History of the Valley of Virginia*.

The *Publications* of the North Carolina Historical Commission, *Bulletin no. 11*, embodies the proceedings of the eleventh and twelfth annual sessions (January 12, and November 27-28, 1911) of the State Literary and Historical Association (pp. 137). A noteworthy feature of the eleventh annual session was an address by Thomas J. Jarvis, former governor of the state. The address was primarily an appeal for the proper preservation of the state's records. Three addresses at the twelfth annual session deserve mention: "The Constitution and its Makers", by Hon. Henry Cabot Lodge; "Historical Activities in North Carolina", by R. D. W. Connor; and "What should a State History for the Public Schools contain?", by Professor C. Alphonso Smith. Dr. D. H. Hill furnishes (pp. 29-31, 98-99) a bibliography of North Carolina books for the years 1911 and 1912.

The contents of the *North Carolina Booklet* for January include an entertaining address on "Sir Walter Raleigh and his Associates", by R. D. W. Connor, a sketch of Benjamin Smith, governor of North Carolina, 1810-1812, by Collier Cobb, and "The Story of Queen's College or Liberty Hall in the Province of North Carolina", by Marshall Delancey Haywood. The last-mentioned article is an account of the efforts to found a college at Charlotte just prior to the Revolution.

The North Carolina Historical Commission has in press a volume of

the correspondence, public papers, and historical and miscellaneous articles of the North Carolina jurist, Archibald Debow Murphey (1777-1832), compiled and edited by William H. Hoyt.

Volume XI., no. 1, of *The James Sprunt Historical Publications* is a study of county government in colonial North Carolina, by W. C. Guess.

Mr. Theodore D. Jervey contributes to the October number of the *South Carolina Historical and Genealogical Magazine* a statement (pp. 8) concerning the white indentured servants of South Carolina. The register of St. Andrews Parish, Berkeley County, South Carolina, edited by Miss Mabel L. Webber, is brought down to the year 1725, and Grimké's "Journal of the Campaign to the Southward" is concluded.

The Georgia Historical Society has published a history of the erection and dedication of the monument to General James Edward Oglethorpe, which was unveiled in Savannah on November 23, 1910. The volume is given place among the society's *Collections* as volume VII., part 2

Professor E. D. Adams contributes to the January number of the *Quarterly of the Texas State Historical Association* an installment of British correspondence concerning Texas, 1837-1842. The letters here presented are largely those of Charles Elliot, British chargé d'affaires, and William Kennedy, consul at Galveston, but there are also valuable accounts of Texan affairs from other hands, among them letters (1837) of Joseph T. Crawford, vice-consul at Tampico. Future numbers of the *Quarterly* will print the correspondence to 1846. Other contributions to this number are "The Texan Declaration of Causes for taking up Arms against Mexico", by Eugene C. Barker, and "Missionary Activities among the Eastern Apaches previous to the Founding of the San Saba Mission" (1718-1755), by W. E. Dunn.

The Arthur H. Clark Company have issued *The Constitutions of Ohio, Amendments, and Proposed Amendments*, by I. F. Patterson. The book includes, besides the documents of a constitutional sort, the records of votes cast, contemporary newspaper comment, with other historical data and detailed comparisons and an historical introduction. The material extends from 1787 to 1911.

The Civil War Literature of Ohio: a Bibliography, with explanatory notes, by Daniel J. Ryan, has been brought out by the Burrows Brothers Company.

The *Indiana Quarterly Magazine of History* for December contains an historical sketch of Irvington, Indiana, by Vida T. Cottman, and some reminiscences of Judge Fabius M. Finch pertaining to pioneer conditions in the region of Indianapolis about 1820.

The annual meeting of the Illinois State Historical Society will be

held in Springfield, May 23-24. The programme, as now arranged, provides for an address by Professor W. E. Dodd of the University of Chicago on *The West and the War with Mexico* and for papers by Professor F. I. Herriott of Drake University on *Douglas and the Germans in 1854*, by Professor Quaife of Lewis Institute on *the French Fort at Chicago*, by Mr. H. W. Lee on *the Calumet Portage*, by Professor C. M. Thompson of the University of Illinois on *the Whig Party in Illinois*, by Professor Charles B. Johnson on *Educational Opportunities and Everyday Life in Illinois in the Middle of the Nineteenth Century*, by Professor Senning on *Sectionalism and the Convention of 1824*, by Mrs. Minnie G. Cook on *the Economic Relation of the Illinois to the Revolution*, and by Mr. M. L. Fuller of Milwaukee on *Early Weather Conditions*.

The *Journal of the Illinois State Historical Society* for January has as its leading article "A Case under an Illinois Black Law", by J. N. Gridley, a history of the case of Henry Clay, a negro who was prosecuted in 1862 under the act of 1853 to prevent the immigration of free negroes into the state. Rev. W. M. Butler describes some historic sites and scenes in Randolph County, Illinois. There are several other articles of local interest.

R. R. Donnelley and Sons Company have brought out among the "Lakeside Classics" *The Autobiography of Gurdon Saltonstall Hubbard* (pp. 182), with an introduction by Miss Caroline M. McIlvaine, librarian of the Chicago Historical Society. Gurdon S. Hubbard was born in Vermont in 1802, and at the age of sixteen joined an expedition sent out by the American Fur Company from Montreal, where his father then resided, came to Fort Dearborn a few months later, and in 1824 was placed in charge of the company's Illinois trading posts. In 1828 he bought out the company's entire interests in Illinois. In 1834 he took up his residence permanently in Chicago, and until his death in 1886 was prominently identified with the business life of the city, being its first great packer. Hubbard's life story as told by himself reaches only to the year 1830, and only a brief sketch of his subsequent career is given by the editor of the volume. Brief in point of time as it is, however, covering a period of only twelve years, the story is of great value for its vivid picture of the life of a fur-trader, and embodies several thrilling narratives.

The report of the librarian of the Illinois State Historical Library, included in the *Biennial Report* (1908-1910) of the board of trustees of that institution, gives a summary description of the manuscript collections in the library.

Mr. A. C. Quisenberry contributes to the January number of the *Register of the Kentucky State Historical Society* two petitions of Kentucky pioneers to the Continental Congress, the one read in Congress on August 23, 1780, the other probably presented in 1783. The peti-

tions are in the Library of Congress. Other articles in the *Register* are a sketch of James Guthrie, by George Baber, and one of Henry Clay, including material concerning the Clay family, by Z. F. Smith.

The Kentucky State Historical Society has published in pamphlet form a paper by Alfred Pirtle on *The Chenoweth Family Massacre*, which occurred near Louisville in 1789. Included in the pamphlet are the two petitions printed also in the *Register of the Kentucky State Historical Society* for January. It is evident that in the list of names as here printed there are numerous errors, even by no other comparison than with the list as printed in the *Register*.

The Indian Tribes of the Upper Mississippi Valley and Region of the Great Lakes, recently published by the Arthur H. Clark Company, includes the *Mémoire* of Nicolas Perrot, the *Histoire* of Bacqueville de la Potherie, both accounts written in the early eighteenth century, the report of Lieutenant-Major Morrell Marston (1820), and the report of Thomas Forsyth (1827), the last two being printed from manuscript. The French accounts are translated and the whole is edited and annotated by the late Miss Emma Helen Blair, who has provided also a bibliography and an index.

The Wisconsin State Historical Society will shortly publish a revised list of its newspapers, bringing down to date the *Annotated Catalogue* published in 1898.

The State Historical Society of Iowa has in press a *History of the Election of United States Senators in Iowa*, by Dr. Dan E. Clark, and a *History of the Hollanders in Iowa*, by Mr. Jacob Van der Zee.

In the *Iowa Biographical* series there has just been issued a volume entitled *George W. Jones*, including a biographical sketch by Dr. John C. Parish, and an autobiography and body of personal reminiscences of which the manuscript was preserved by a daughter of Jones still living in Dubuque.

The *Iowa Journal of History and Politics* for January contains Mr. Clifford Powell's second paper (pp. 69) on the codes of Iowa law, giving the history of the code of 1851. From the *Journal of American Folk Lore* (April-June, 1911) are reprinted (pp. 70-112) the notes on the Fox Indians by William Jones, who was murdered while making some explorations in the Philippines.

The number of the *Annals of Iowa* for January, 1911, which appears one year behind time, is a memorial number to Rev. William Salter, prominent in the life and history of Iowa from 1843 to 1910, author of a *Life of James W. Grimes* and of *The First Free State in the Louisiana Purchase* and of numerous historical articles.

The Missouri Historical Society Collections, volume III., number 4, contains much interesting matter pertaining to the history of St. Louis.

The fragmentary journal of Colonel Auguste Chouteau, relating to the founding of St. Louis, is published both in the original French and in an English translation. The translation is reprinted from the *Twelfth Annual Report* (1858) of the St. Louis Mercantile Library Association. Mr. Walter B. Douglas continues his story of Manuel Lisa, which casts light on mercantile life in St. Louis in the early nineteenth century and incidentally reveals a good deal of personal history. The Early Recollections of St. Louis from the Memoirs of an Old Citizen, Major William Clark Kennerly, edited by his daughter, Mrs. D. R. Russell, pertain to St. Louis in the thirties and early forties. Charles A. Krone's Recollections of an Old Actor are continued.

In the *Missouri Historical Review* for January Floyd C. Shoemaker presents a brief study of the first constitution of Missouri, F. A. Sampson a bibliography of books of travel in Missouri, and Colonel J. F. Snyder tells briefly the story of the "Battle of Osawatimie", in which he was a participant.

We have received the *Report* of the Arizona Historian for the period, October, 1909, to December, 1911 (pp. 32). The historian has endeavored to collect printed works relating to the history of Arizona and has also travelled extensively over the territory gathering recollections of pioneers and other documentary materials pertaining to the region now included in the state of Arizona. The *Report* includes a catalogue of the manuscripts, maps, books, etc., in the custody of the historian.

Some years ago Mrs. Martha Summerhayes published a small volume entitled *Vanished Arizona: Recollections of the Army Life of a New England Woman*, in which she recounted her experiences, principally in Arizona and in the later seventies, as the wife of an army officer. As the edition was small and was soon exhausted, Mrs. Summerhayes has gone over the entire work, adding occasional incidents, together with some letters from friends who participated in some of the experiences, and has brought out a new edition of the book (The Salem Press). From beginning to end the book is full of genuine interest. Among the people who figure in the narrative is Frederic Remington the artist.

California: its History and Romance, by J. S. McGroarty, has appeared in Los Angeles, from the press of the Grafton Publishing Company.

Secession in California and the Man who defeated it is the title of a book by E. R. Kennedy, which will be published by Houghton.

The *Report of the Work of the Archives Branch for the Year 1910* (pp. 125), published by the archivist of the Dominion of Canada as an appendix to the Report of the Minister of Agriculture, presents a calendar of the contents of a large number of volumes of transcripts from England and France received during the year named; lists of transcripts of the correspondence of Sir Charles Bagot while minister to the United

States, 1816-1819, and while ambassador in Russia, 1820-1824; interesting summaries of Lady Durham's journal of 1838, of Charles Buller's sketch of Lord Durham's mission, of the journals and letters of Colonel Charles Grey, 1834, and of the letters addressed by Lord Elgin, when governor-general, to the third Earl Grey, his uncle by marriage, then secretary of state for the colonies; a list of papers of Colonel de Salaberry; and of other acquisitions. The typographical arrangement of the pamphlet is not always easy to follow. An interesting feature of the work of the archives is the appointment, under a scheme inaugurated by the Dominion government, of one student from each of the eight Canadian universities, to pursue historical researches at the archives, upon specific subjects, during the summer.

The Ontario Historical Society will hold its annual meeting on June 5-7, at Napanee, Ontario. A programme of especial excellence has been provided, most of the papers relating to the War of 1812. Among the papers may be mentioned: one on "An Episode of the American Fur Trade", by Dr. Reuben G. Thwaites of Wisconsin; one on Kingston's Share in the War of 1812, by Mr. George R. Dolan of that city; a review of the events of that war, by Mr. J. Castell Hopkins of Toronto, and of its results, by Mr. James H. Coyne of St. Thomas; a paper on the Effect of the War of 1812 on the Settlement of the Canadian West, by Mr. Lawrence J. Burpee of Ottawa; one on the Economic Effect of the War of 1812 on Upper Canada, by Professor Adam Shortt of Ottawa; and one on collections of historical material relating to that war, by Mr. Frank H. Severance of the Buffalo Historical Society. The last day will be occupied with a steamboat excursion on the Napanee River and Quinte Bay. Arrangements are in charge of Mr. Clarence M. Warner of Napanee.

Bulletin no. 2 of the departments of history and of political and economic science in Queen's University, Kingston, Ontario, Canada, is *Canada and the most favored Nation Treaties*, by O. D. Skelton. While the study is not primarily historical it embodies considerable historical matter.

Professor Cephas D. Allin, of the University of Minnesota, and Professor George Jones, of Toronto, have brought out through Musson of Toronto a volume on the relations between Canada and the United States entitled *Annexation, Preferential Trade, and Reciprocity*, which traces the agitations concerning these questions from 1837 to the present time.

The November-December number of the *Boletín del Archivo Nacional* (of Cuba) is occupied chiefly by a paper by the editor, Señor Antonio Miguel Alcover, on the founding of the port of Caibarién, in the province of Santa Clara. The history is told in the main through documents, which extend in date from 1794 to 1842.

The Scotsman in Canada, by Professor George Bryce of Winnipeg, (London, Sampson Low, two volumes) contains matter of both historical and biographical interest.

Major Luis Merino, at present military attaché of the Chilean legation in Tokio, and formerly professor of history in the Escuela Militar, Santiago, Chile, has just published two studies in the military history of the Chilean wars of independence that show him to be possessed of a remarkable grasp of the subject. His *Estudio Histórico-Militar acerca de las Campañas de la Independencia de Chile en el año 1818* was given a first prize in the recent competition for the best work on military history to be brought out during the centenary of Chile's independence. There are 225 pages of text and 200 of documents. The panoramic view of the battle-field of Maipú is very satisfactory, and the plans that accompany the volume give evidence of careful field study. Altogether this volume is a notable contribution to South American history. The second, republished from the *Anales* of the University of Chile, is an article on *El Jeneral San Martín en la Campaña de 1818* (pp. 25). While the author's point of view is distinctly that of a military officer, the German training which he, in common with the other officers of the Chilean army, has received as part of his education, combined with his historical instincts, has enabled him to produce an important addition to the all too scanty literature regarding San Martín.

Señor Pedro Torres Lanzas, director of the Archives of the Indies at Seville, is preparing a new edition of his *Relacion de Mapas, Planas, etc., del Virreinato de Buenos Aires, existentes en el Archivo General de Indias*, which it is expected will be published with numerous reproductions of maps.

Noteworthy articles in periodicals: Dr. Fridtjof Nansen, *The Norsemen in America* (Geographical Journal, December); R. Häpke, *Der erste Kolonisationsversuch in Kanada, 1541-1543* (Hansische Geschichtsblätter, 1911, 2); Gaillard Hunt, *Pelotiah Webster and the Constitution* (The Nation, December 28); Capt. C. G. Calkins, U. S. N., *The Repression of Piracy in the West Indies, 1814-1825* (U. S. Naval Institute Proceedings, December); Morris Schaff, *The Sunset of the Confederacy*, I. (Atlantic Monthly, March); Frederic Bancroft, *Gideon Welles and his Diary* (The Nation, December 21); James Schouler, *President Johnson and Posterity* (The Bookman, January 19); Gaillard Hunt, *The History of the Department of State*, IX. (American Journal of International Law, January); C. O. Paullin, *The American Navy in the Orient in recent Years* (U. S. Naval Institute Proceedings, December); Winfield Scott Schley, *Admiral Schley's Own Story*, II. (Cosmopolitan, January); Robert M. La Follette, *Autobiography*, IV., V., VI. (American Magazine, January, February, March); R. P. Chiles, *The National Archives; Are They in Peril?* (American Review of Reviews, February).

The
American Historical Review

THE EUROPEAN RECONQUEST OF NORTH AFRICA¹

THE region we commonly call North Africa, using this designation in its narrowest sense, comprises the territories of Morocco, Algeria, Tunis, and Tripoli. In almost every respect it is clearly separated from the rest of the huge continent of which it forms a part. Geographically, it is cut off from the Sudan by the Sahara, a greater obstacle to communication than the broadest ocean. Ethnographically, it is the home of a Mediterranean people and not of the typical African race, the negro, who is represented here only by some scattered descendants of slaves, brought in, like those of our own South, against their wills, and less numerous in proportion to the rest of the population than is the case in the United States. Historically, Africa Minor, as some call it, has been in its economic and political relations, in its culture, and in its civilization, at times a part of Asia, at times a part of Europe, but never to more than a slight extent a real portion of its own continent. Its influence has indeed penetrated to the south, but in return it has received little more than the products of a scarce, though long-continued, caravan trade, mostly in human flesh, taking months to crawl painfully across the scorched wastes of the desert. Even with the valley of the Nile it is connected by sea rather than by land, for east of Tunis the Sahara advances to the very waters of the Mediterranean, forming in spite of its scattered oases a barrier which has been crossed by but few armies and by only one considerable migration² in the last three thousand and more years.

The chief structural features of Africa Minor are simple. The territory consists of a long strip of land bounded on the north by

¹ Paper read at the annual meeting of the American Historical Association, December, 1911.

² That of two large Arab tribes, the Hilal and the Solaim, in the eleventh century.

the Mediterranean, on the south by the Sahara, on the east by the Gulf of Tripoli and the Libyan Desert, on the west by the Atlantic. From the Straits of Gibraltar almost to the Gulf of Carthage the mountains continually skirt the sea, rising sharply from it in their western portion, the Rif, but gradually becoming lower and less severe as they proceed eastward. They are intersected by river valleys which form lands suitable for cultivation and settlement and also offer the means, but not always easy means, of communication with the interior. Ordinarily a sharp ascent leads from the coast to the high inland plateaus. The plateaus are terminated on the south by another range of mountains from which there is a sudden descent to the desert. North Africa thus consists of three main regions—first, the littoral or Tell with its slopes and valleys, numerous disconnected sea-ports, a sedentary population and south European climate and products; second, the plateaus, with greater extremes of temperature and scanty rainfall, a region suitable to pastoral rather than to agricultural life, with a population as yet largely nomadic; and third, the torrid Sahara, a waste of stone and sand, stretching indefinitely to the southward, for the most part uninhabitable, but dotted here and there with oases. This threefold division is most plainly marked in Algeria. In Tunis the mountains are lower, the transitions are less sudden, and there is sea on two sides. Accordingly the country is more open and accessible, and is in natural, easy communication with Sicily and Italy. Tripoli is nineteen-twentieths desert except in the peninsula of Cyrenaica. In Morocco the wild mountains of the Rif that have long proved an effective barrier against the advance of Spain are nevertheless, nothing but an offshoot. The true ranges of the Atlas here run to the southwest till they meet the ocean, enclosing between them and the Rif a territory which looks not to the Mediterranean but to the Atlantic. This explains why Morocco has not been pre-eminently a Mediterranean state. Only a part of it was ever occupied by the Romans, and the whole proved beyond reach of the Turks. Morocco until lately has had little to do with any European country outside of the Spanish peninsula, and in the hour of its weakness in the sixteenth century it was threatened by Portugal rather than by Castile. On the other hand it has more than once drawn fresh strength from the desert tribes dwelling to the south of it,³ and for a moment its dominion was acknowledged on the banks of the Niger.⁴

The recorded history of North Africa begins with its coloniza-

³ The Almoravides came from the region of the Senegal.

⁴ Timbuktu was captured by a Moroccan army in 1591.

tion by an Asiatic people, the Phoenicians, whose earliest settlements there appear to have been made somewhat less than a thousand years before the Christian era. Carthage, the most important of them, was founded not far from 800 B. C., and from that time for some six and a half centuries the history and civilization of Africa Minor may fairly be regarded as Asiatic. From the frontier of the Greek territory in Cyrene to beyond the Straits, the whole coast, besides much of the interior, was under the sway of the great Tyrian colony with its sanguinary Oriental gods and its Semitic talent for mercantile enterprise.

The Third Punic War marks the end of this first period of Asiatic rule although the Punic language did not disappear for many generations. As late as the time of the emperor Septimius Severus it was the native tongue of the district in which he was born. North Africa gradually passed under Roman domination, but we may date the new epoch in its culture as beginning with the refounding of Carthage by Julius Caesar. Thenceforth the region was in reality a part of Europe and remained so for seven hundred more years. The provinces of Africa, Numidia, and the Mauretanias were integral portions of the empire, partaking in the common life and civilization and contributing their quota of celebrated men to the glory of Rome. St. Augustine, the greatest of all Latin church fathers, was born in the present Algerian department of Constantine.⁵ So little were these provinces regarded as forming a territory unto themselves that they were later distributed between the prefectures of Italy and of Gaul. It is true that in the rural districts the mass of the people, like those in Britain, were never Latinized, and that the Berbers of the mountain and desert remained as independent as did the Picts and Scots, and like them grew increasingly troublesome in the days when the strength of the empire had decayed. But the land was studded with prosperous towns whose ruins attest to the splendor which was once theirs. The amphitheatre that still looms up near the village of el Djem in Tunis is larger than that at Pompeii or at Arles. To all intents and purposes Roman Carthage was long the second city in western Europe.⁶

For a brief space North Africa came under a new foreign master when, like the rest of the Western Empire, it was overrun by German barbarians. But the rule of the Vandals was short, leaving no traces behind it except that it accelerated the process

⁵ The emperor Macrinus was a Berber.

⁶ Herodian (VII. 6, 21) calls it second in the empire only to Rome, and the rival of Alexandria. Ausonius in his *Ordo Nobilium Urbium* (XI. 2 and 3) puts Rome first and Carthage and Constantinople in the second place.

that had already set in of decay of the civilized portion of the community and of recrudescence of strength on the part of the untamed Berber tribes.

In the latter part of the seventh century there burst a storm from the east that swept all before it. An Asiatic people new to history, the Mohammedan Arabs, in the first fervor of their conquering zeal, made their way across from Egypt, subduing, though not without struggles, Romans and Berbers alike, till within a generation they had penetrated to the Atlantic and across the Straits into Spain. Their own numbers were few, but their creed was speedily accepted by their new subjects who hastened to enroll themselves under the banner of militant Islam. Then for a second time North Africa became Asiatic. The Latin tongue and culture vanished from the land as completely as had the Phœnician. Its place was taken by Arabic and though the Berbers, thanks to superior numbers, soon reasserted themselves politically, for them, too, Arabic has ever since been the language of religion and of law, of learning and of civilization. From about the beginning of the eighth century until the year 1830, and in a measure until the present day, North Africa under Arab, Berber, and Turk, in its life and its thought has formed a part of Mohammedan Asia. The medieval universities of Fez and of Samarkand, despite the two thousand miles between them, were as fundamentally alike as were those of Oxford and Paris.

On the fourteenth of June, 1830, when the French army landed at Sidi Ferruch near Algiers, a new period of North African history dawned. The process of European reconquest had begun, yet this process, considering the greatly accelerated pace of events in our day, has till recently been slow, slower indeed than was the advance of the Arabs twelve hundred years ago. The first step, the subjugation of Algeria, took more than a quarter of a century to complete; the last ones, the partition of Morocco and the conquest of Tripoli, are being carried out at the present time. Now within a few years, perhaps even months, the whole of Africa Minor will have come, at least nominally, once more under European rule.

As we muse over these latest transformations, we wonder not so much that they have occurred as that they did not occur centuries earlier. Why did such weak, barbarous states, lying closer to many parts of Europe than these do to each other, remain so long unconquered, when the vast and remote empires of the Incas and of the Moghuls had for generations been in European hands? It is true that in the Middle Ages North Africa was usually more

than able to repel attack. The great empires of the Omeiads, the Abbasids, the Fatimites, the Almoravides, and the Almohades, and even of some of the minor dynasties, were on the offensive, not the defensive, as regards Christendom, and as late as the thirteenth century more than once threatened the reconquest of Spain. But by the end of the fourteenth, the Mohammedan world of North Africa, like that of Spain, had lost its vigor. It was nominally split up into three effete kingdoms,⁷ not one of them even as strong as that of Granada. In reality most of the country was in a state of tribal anarchy. And now the Christians literally began to carry the war into Africa. The Portugal of John II. and Emanuel and the Spain of Isabella and Ximenes, not satisfied with dividing the unexplored regions of the new world, also agreed on a line of delimitation in the nearer field of African conquest.⁸ Here both Christian states for a time met with brilliant success. By the year 1513 the Portuguese had possessed themselves not only of Ceuta and Tangier in the north but likewise of almost all the west coast of Morocco as far as the edge of the desert, and their influence extended into the interior where they had native chiefs in their employ. At the same date the Spaniards had made even greater progress along the southern shore of the Mediterranean. Oran, Algiers, Bougie, Tunis, and in fact nearly the whole shore as far as Tripoli, was in their hands or recognized their supremacy, as did the interior kingdom of Tlemçen. Weak and distracted, Mohammedan North Africa seemed destined to speedy subjugation.

But by the close of the sixteenth century we have a different picture. King Sebastian of Portugal with his army had been destroyed at Kasr el Kebir⁹ and, one after another, the African posts of Portugal on the Atlantic had fallen into the hands of the enemy or had been abandoned. Spain on her part had fared little better, for she had lost everything east of Oran, and her few remaining African possessions were confined to the coast and subject to constant attack.

The usual explanation given for these changes of fortune is the revival of militant Islam under the new Saadian dynasty in Morocco and the intervention of the Turks at Algiers and elsewhere. This explanation may be correct as far as it goes, but it is manifestly inadequate. We may perhaps admit that Portugal was too weak a state to hold her African conquests against a rejuvenated Morocco. It is also true that Charles V., who made two great

⁷ Tunis, Tlemçen, Fez.

⁸ In 1509.

⁹ In 1578.

North African expeditions, a successful one against Tunis, an unsuccessful one against Algiers, had none the less by the end of his reign lost the control of the Mediterranean, which had passed to the Ottoman fleet. But after Lepanto and the decay of Turkish power, Philip II., had he so wished, was in a position to re-establish, consolidate, and extend Spanish rule south of the Mediterranean, following the last behests of Queen Isabella. The armies that under such leaders as Don John and Parma fought so long and obstinately against the insurgent Dutch, that threatened the independence of England, and that actually occupied Paris, were more than sufficient to overcome the resistance of a handful of Turkish Janizaries, or of Berber chieftains, or of Moroccan sultans. The real strength of the Barbary States was indeed far inferior to what Europe supposed it to be, and their reputation was mostly due to the scandalous immunity they enjoyed for generations. Had Philip II. and his successors pursued a different policy, North Africa might well be a great Spanish territory to-day and Spain still one of the first of European powers. Now that she is striving to obtain a mere fraction of what might once have been hers, Spaniards complain bitterly that the negligence and folly of their forefathers have deprived them of their birthright.

But in the second half of the sixteenth century they had fixed their eyes elsewhere. They were absorbed by the task of conquering and exploiting their immense territories in the New World, which attracted their most adventurous spirits and which promised untold wealth. They were also intent on preserving at any cost their predominance in Europe, for which they poured out blood and treasure without stint, leaving them with scant attention or resources to spare for African enterprises, however near home. Africa offered nothing to tempt them, no mines of gold and silver, no possibility of rich tropical cultures with slave labor, no primitive pagans, whose souls their ardent missionaries might save, no real glory to be won or immediate increase of power and prestige in Europe. Instead there was a country whose jagged coast was difficult to hold, a land that grew ever worse as one penetrated into the interior, a warlike population animated by intense and ineradicable hatred of all Christians and especially of their hereditary enemies, the Spaniards. We need hardly wonder, then, that Spain paid small heed to the feeble garrisons which she still kept isolated as a matter of pride in her few remaining posts, often unpaid, short of food, and continually harassed by indefatigable enemies. In 1792 she actually abandoned Oran, her most important African presidio, though she had owned it almost as long as she did Mexico

or Lima, and longer than the English have held Gibraltar. To-day she regrets it, now that Oran is a flourishing city of well over one hundred thousand inhabitants, many of them Spaniards, but alas! under the French flag.

Spain, however, was not the only state that in those days failed to recognize the value of North African possessions. France remained equally indifferent and confined herself to occasional chastisement of the Barbary pirates and to maintaining a precarious trading-post at the port of La Calle. Louis XIV. repeatedly sent his fleets to bombard Algiers and other piratical dens, but he made only one futile attempt to get a permanent foothold.¹⁰ The conduct of England, judged by our present lights, was yet more extraordinary. She retained, wisely enough, of the dowry of Catherine of Braganza, the far-distant port of Bombay but, after an occupation of twenty-two years, she abandoned to the Moors Tangier at the very mouth of the Mediterranean. Sixteen years later the English captured Gibraltar from the Spaniards and have held it ever since, yet strange to say they have never tried to tighten their grip on the Straits by seizing Ceuta or the other presidios in Morocco, easy as this would have been for them on several occasions. They, too, suffered from the Barbary pirates, if less than did some others, and even the punitive expedition of Lord Exmouth in 1816 resulted in only one more bombardment.

In the years immediately following 1815 the naval, commercial, and colonial supremacy of Great Britain all over the world was more overwhelming than it had ever been before in her history, or indeed than it has been since. In the Mediterranean, where she carried on a flourishing trade, Gibraltar, Malta, and the Ionian Islands served as bases for her all-powerful fleet and helped to secure her predominance. The one thing surest to awaken her alarm was any symptom of ambitious designs on the part of her old rival France. She was therefore violently opposed to the French expedition to Algiers, making every effort to prevent it except the actual use of force; in fact she might not have shrunk from this last extremity if she had been more convinced that the enterprise of the French would succeed.¹¹ When it did so and it had become evident that they were in Algeria to stay, she had to reconcile herself to the new situation as best she might, but she saw to it in 1844 that they should not acquire fresh territory by their war with Morocco, and both England and France took care that Spain

¹⁰ The expedition of the Duke of Beaufort to Djidjelli in 1664.

¹¹ The English consul at Algiers prophesied its failure, and the Duke of Wellington seems to have been doubtful of its success. See Darcy, *France et Angleterre: Cent Années de Rivalité Coloniale* (1904), p. 105.

should gain nothing by her hostilities with the same power in 1860. Soon afterwards the digging of the Suez Canal, by deflecting European trade with Australia and the Far East from the Cape route to that of the Mediterranean, added still more to the importance of the Mediterranean and particularly of the Straits in English eyes.

Like most beginnings of modern colonization, the French conquest of Algeria was a curiously haphazard affair. Charles X. and his ministers vacillated many months before they decided to despatch an army to obtain satisfaction for the insults France had received at the hands of the dey. For a while they entertained the marvellous project of letting their friend Mehemet Ali, the pasha of Egypt, avenge their honor for them and pocket the incidental profits. When at last they did decide to act for themselves, although they refused to tie their hands for the future by promises to England, they were quite uncertain as to how far their action should extend and anxious to have it ratified by the powers. Throughout they were thinking less of founding an African empire than of gaining a little military prestige for the Bourbon monarchy, and of giving malcontents in Paris something to talk about besides grievances. In these last objects they failed signally. The success of the Algiers expedition excited no popular enthusiasm in France and availed nothing to prevent the Revolution of 1830. The government of Louis Philippe, however, after some hesitation resolved to keep the conquest made by its predecessor and ultimately to extend it until the whole of Algeria was subdued. A beginning was also made of European colonization, but this came almost to a standstill for a while in the next reign when the emperor Napoleon III. indulged in the dream of a native Arab empire.

In the second half of the nineteenth century the creation of United Italy brought into existence a new Mediterranean power of the first rank. That power had scarcely established itself before it began to turn covetous glances towards the shores of Africa lying so close to its own. The first object of desire was the territory nearest at hand, the weak and tempting regency of Tunis, where there was already a considerable Italian colony. The dream that Rome should again rule over Carthage appealed to patriotic imaginations and seemed not impossible of fulfilment. The chief obstacle in the way was the interests of France. Napoleon III., ever favorable to the sister Latin nations, might possibly have been persuaded to let the Italians have Tunis and the Spaniards Morocco, contenting himself with the possession of Algeria, but the statesmen of the Third Republic proved less sentimental. They realized how much the position of the French in North Africa would be altered

for the worse if instead of rounding out Algeria by taking Tunis for themselves they were to get the Italians on their exposed flank. Rivalry between the two nations was therefore inevitable. In 1878 France was fortunate enough to have England and Germany intimate to her at the Congress of Berlin that they would not oppose her preponderance in Tunis. This action on the part of England, which was in striking contrast to her attitude half a century earlier, may have been due to a desire to prevent French opposition to her own establishment in Cyprus, and also to an unwillingness to see the Italians hold both shores of the narrow Straits of Sicily. As for Germany, Bismarck doubtless cared little which got Tunis, Italy or France. In either case he could count on an estrangement between the two which would be favorable to his policy. Under these circumstances the noisy activity of the Italians in regard to Tunis during the next three years was a fatal blunder, for it roused France to take the step they dreaded most, yet were too weak to forbid. In 1881 the French, with sound reason, if on 'trumpery pretexts, sent troops into Tunis and reduced it to the position of a protected state. The Italians could only frantically protest and justify Bismarck's calculation by joining Germany and Austria to form the Triple Alliance. They also began to turn their eyes more towards Tripoli, where the Turks had regained control in 1835, a much less tempting prize, but the best thing attainable.

For the next twenty years there was little apparent change of the situation of the European powers as regards North Africa, except that England by her occupation of Egypt in 1885 deepened still further her interest in Mediterranean affairs and entered into a new period of strained relations with France, whose influence in Morocco she actively combated. Gradually, however, with the opening of the twentieth century things took a different turn. Algeria, emerging from the difficulties of its earlier colonial days, was now on the high road to prosperity, and was clearly of the utmost value to France. Tunis had prospered from the first under French rule. France had also acquired immense tropical territories south of the Sahara and had begun to control the desert itself, thus binding together her scattered African possessions into a splendid empire with only the cornerstone lacking, namely Morocco, whose importance to her became more and more evident. Accordingly, under the guidance of M. Delcassé as foreign minister she set about to acquire it by coming to terms with her rivals. In 1904 she settled her outstanding differences with England, abandoning her own historical position and sentimental claims in Egypt in

return for a free hand in Morocco. In another treaty she obtained the same assurance from Italy by a recognition of Italian interest in Tripoli. But Spain also had to be taken into account.

The interest of Spain in her African presidios dwindled down to very small proportions after the evacuation of Oran. She even contemplated abandoning what was left of them. In 1844, however, she anticipated France by a few hours in the seizure of the Zaffarin Islands and her victorious though fruitless war with Morocco again turned the attention of her people to African affairs. Then too the success of the French in subduing Algeria and later in colonizing it, partly by the aid of Spanish settlers, was an impressive object lesson. The fear that France might in time extend her North African conquests further to the westward soon filled the minds of Spaniards with increasing anxiety. They began to proclaim that by right of geography and of history they were the only legitimate heirs to Moroccan territory, that the lands north and south of the Straits ought to be in the possession of one and the same nation as they had been in the days of the Romans and the Arabs. It is a noteworthy fact that whereas in the sixteenth century the greater interest that Spain took in the New World had turned her away from Africa, now at the opening of the twentieth, scarcely had she been deprived of Cuba and the Philippines, the last considerable fragments of her once magnificent colonial empire, than she eagerly entered again upon a policy of African expansion. This was the only goal left for the ambitions of her restless military leaders and of all who still cherished the traditions of Castilian imperialism. In one respect the moment was favorable. The empire of the Sherifs was rapidly disintegrating, but on the other hand Spain had to recognize that instead of being the sole claimant to the succession, she must make what terms she could with a neighbor stronger than herself, namely France. This she succeeded in doing, thanks to English support and to the conciliatory policy of M. Delcassé, but owing to recent events the exact extent of her share of the spoil is still a matter of negotiation.

Thus by the end of 1904, the various European powers holding lands in the Mediterranean had concluded a series of agreements with one another concerning their respective future domains in North Africa. Their projects, however, had yet to be carried out. The sudden intervention of Germany introduced unexpected complications which have more than once in the last few years threatened the world with a great war. Finally, France bought off Germany too by concessions elsewhere, but the international storm-centre passed from Morocco to Tripoli. In the autumn of 1911 the Ital-

ians, weary of waiting for a prize that seemed in no hurry to fall into their lap, excited by the gains of their neighbors, and perhaps alarmed by the thought that the Germans might discover that they had interests here also, determined to delay no longer. Without wasting time in controversy they proceeded to declare war on the Turks and they have, somewhat prematurely, notified the world of their annexation of the Tripolitan territory, rechristening it with the classical name of Lybia.

Before long now, Europe will once more be supreme throughout North Africa, where her domination will be more complete and more extensive than it was in the days of the Roman Empire. Although there are parts of Morocco as unexplored as if they were in the innermost recesses of Asia, and there are oases in Tripoli where no European has been seen for many years, they will soon have their wireless telegraph stations and be accessible to the aeroplane if not to the automobile. Europe has come equipped with all the paraphernalia of western civilization. The resources of modern science will enable her to triumph over material obstacles, tap new sources of wealth, and in spots at least make the desert blossom like the rose. They will not, however, speedily change the spirit of Islam. Under French rule in Algeria the native population has multiplied, and it will multiply elsewhere under the same conditions, and though we may still expect a considerable influx of European colonists into North Africa, the whole of which is now open to them, they are not likely ever to constitute the majority of the inhabitants. This will continue predominantly Berber as it was under the Romans and may resist assimilation to the conquerors as successfully as it did then. Even to-day there is a young Tunisian party as there is a young Egyptian. On the other hand, in Egypt the Europeans are but a handful compared with the natives, in Tunis they are an important element, and though only the minority of them are French, they will all, as will likewise the Jews, contribute to the growth of French influence. Already Africa Minor contains a million Europeans¹² and Algeria is regarded not as a colony but as a prolongation of France, with representatives in the national chambers and its good share of ministers and other high officials.¹³ It is France that in these regions has succeeded to the heritage of Rome. Compared with her Italy and Spain have but meagre portions, and their own emigrant children

¹² Algeria (1911), 795,522; Tunis (1908), 158,293; Morocco (including Spanish possessions), perhaps 30,000; Tripoli (before the war), *ca.* 5,000. These figures include a few natives and part of the Jews.

¹³ For instance, in recent years, Messrs. E. Etienne, G. Thomson, and R. Viviani.

add to her strength. It is France first and foremost that seems called upon to demonstrate whether the European reconquest of North Africa, after more than eleven hundred years of Asiatic dominion, is to be merely a material or also a moral one. Granting that the majority of the people will always be of the primitive native stock, what will be the expression of their civilization, the French of advanced modern thought or the Arabic of the Koran? Time alone can furnish the answer to this fateful question, which is of immeasurable importance to the future of France and thereby of consequence to the whole world.

ARCHIBALD CARY COOLIDGE.

CANADA VERSUS GUADELOUPE, AN EPISODE OF THE SEVEN YEARS' WAR¹

THE paper war, which began in 1760, on the question whether in making peace with France it would be well to keep Canada or Guadeloupe, should a choice be found necessary, is discussed by such historians as Mr. Lecky and Mr. G. L. Beer, but though the chief pamphlets on either side were known to them both, neither the extent of the controversy nor the light which it throws on the prevailing theory of empire has always been noticed.

The fray began in January, 1760, with *A Letter addressed to Two Great Men, on the Prospect of Peace, and on the Terms necessary to be insisted upon in the Negotiation*. All these pamphlets were of course published anonymously, and if unsuccessful, disavowed, while if successful, various pretenders to the authorship were apt to arise. This *Letter* is ascribed by Lecky to Lord Bath, by the catalogue of the British Museum to J. Douglas, successively bishop of Carlisle and Salisbury: It seems probable that the pamphlet was written by Douglas, the protégé of Lord Bath, but that the author had the benefit of a revision by his patron. Bath, formerly Pulteney, had been the great opponent of Sir Robert Walpole, had been kicked upstairs into the House of Lords by his opponent, and had ever since revenged himself by throwing pamphlets out of the window. In the present case some paragraphs show an animus against Sir Robert Walpole and a knowledge of the inner history of the period 1740-1742, which make it probable that they were either inspired or dictated by the patron. Though Horace Walpole naturally alludes to it as "a very dull pamphlet", it is really written with some clearness in favor of the retention of Canada.

The flood-gates were now unloosed. Apparently the next piece to appear was *An Answer to the Letter to Two Great Men, Containing Remarks and Observations on that Piece, and Vindicating the Character of a noble Lord from Inactivity*. This, though written in a kindly spirit, does not add much to the discussion, taking the easy line that we should keep all our conquests. "I am for retaining all our American conquests, and even for insisting upon Martinico, that

¹ Paper read at the annual meeting of the American Historical Association, December, 1911.

sepulchre of our merchant men, twelve hundred of which have been carried into that Island since the beginning of the war."

It was followed by *Remarks on the Letter Addressed to Two Great Men, in a Letter to the Author of that Piece*, an able and well-written pamphlet, which was extremely popular and ran into three editions within the year. Of these the second repeats the first, while the third has a number of changes, chiefly for style, and several additions, especially a postscript of eight pages. Mr. Lecky attributes it to William Burke, a kinsman of the great Edmund; and so also does Dr. William Hunt, in the *Dictionary of National Biography*. The British Museum originally attributes it to Pulteney, which is certainly wrong, and now to Charles Townshend; with this latter identification I am disposed to agree, internal evidence going to show that it was written by a member of Parliament. Its arguments, strong in favor of the necessity of retaining Guadeloupe at all hazards, will be familiar to readers of Lecky.

Then came *A Letter to the People of England, on the Necessity of putting an Immediate End to the War, and the Means of obtaining an Advantageous Peace* (London, 1760, pp. 54), which urges that every conquest in the West Indies should be restored, rather than one foot in Canada.

But the *Remarks* had evidently made an impression, and in much anxiety Benjamin Franklin now entered the fray with what is usually known as *The Canada Pamphlet*, which was published under the title *The Interest of Great Britain considered with regard to her Colonies and the Acquisitions of Canada and Guadeloupe. To which are added, Observations concerning the Increase of Mankind, Peopling of Countries, etc.* This enjoyed great success, was soon acknowledged by Franklin, and was in the same year reprinted at Boston. The reprint has the following notice, "As the very ingenious, useful, and worthy Author of this Pamphlet (B—n F—n, LL.D.) is well-known and much esteemed by the principal Gentlemen in England and America; and seeing that his other Works have been received with universal Applause; the present Production needs no further Recommendation to a generous, a free, an intelligent and publick-spirited People." Franklin's pamphlet attracted much attention, and was in great part reprinted in *The Gentleman's Magazine* for May, 1760.

But perhaps the ablest pamphlet of the series is one not alluded to by Lecky, entitled *Reasons for keeping Guadeloupe at a Peace, preferable to Canada, explained in Five Letters from a Gentleman in Guadeloupe to his Friend in London* (1761). To this I cannot give

higher praise than that its author seems to me to have the better of Benjamin Franklin. He was answered by *A Detection of the False Reasons and Facts, contained in the Five Letters entitled, Reasons for keeping Guadeloupe at a Peace, preferable to Canada, explained in Five Letters from a Gentleman in Guadeloupe to his Friend in London; in which the Advantages of both Conquests are fairly and impartially stated and compared. By a Member of Parliament* (London, 1761). The style and temper of this pamphlet are much inferior to the other. The author is blustering, with perpetual recourse to italics and capital letters, and, though he convicts his opponent of occasional exaggeration, has distinctly the worst of the argument.

Meanwhile the well-known Israel Mauduit had published his celebrated *Considerations on the present German War* which, issued early in 1761, ran into six editions by the beginning of 1762, and was of distinct influence upon the conduct of the war. Mauduit's thesis, that further prosecution of the German War was but a source of bloodshed and expense, and that we should weaken France by capturing her colonies, "not useless ones on the Mississippi, but by seizing the French islands, and holding their whole West-India trade in deposit for Hanover" (fourth ed., p. 137) was obviously not without relation to the earlier controversy. It had to some extent been anticipated in an otherwise unimportant pamphlet of the earlier series, *A Letter from a Gentleman in the Country to his Friend in Town; on his Perusal of a Pamphlet addressed to Two Great Men* (1760), which says, "If we had not been so deeply engaged on the Continent, we might have extended our Conquests in the West-Indies even farther than we have done; and that St. Domingo and Martinico would, probably, have undergone, before this Time, the same Fate as Guadeloupe and Louisburgh." The great danger from France, he urges, "is her becoming our Rival at Sea; Of this we can never be too-jealous". Canada is therefore of slight importance; but she must be driven from the Newfoundland fisheries, and as far as possible from the Caribbean; we must possess ourselves of "her Fishing and Sugar Islands, which has enabled her to maintain so great a Number of Sailors". This thesis, developed by Mauduit, provoked a further crop of rejoinders, and the subsequent peace negotiations of 1762 produced yet another, of which a surprisingly large number touch on the earlier dispute. Of the pamphlets issued after the *Considerations* and prior to the peace of 1763 which discuss this colonial question, I have the names of 36, not including second or third editions and reissues, and a more thorough search would doubt-

less discover others.² Undoubtedly the most important is *An Examination of the Commercial Principles of the late Negotiation between Great Britain and France in 1761* (London, Dodsley, 1762), which is also attributed by Dr. Hunt to William Burke.

In these pamphlets we have a very clear statement of the mercantilist theory of empire and can see how there was beginning to grow up in the minds of such men as Pitt a conflict between that theory and the first faint glimmerings of a new ideal of empire based on liberty, which we of the British Empire are at present endeavoring to work out. To the more enlightened statesmen of the day the ideal of the old colonial system was not that of a mother-country selfishly exploiting her dependencies; however imperfect its practical working out, however much exposed to jobs on the part of British or West Indian merchants, the ideal on which the system rested was that of a self-contained empire, in which each part produced that which it was best fitted to produce. Of this self-contained empire there were four main parts: Great Britain herself, the American continental colonies, the West Indies, and the slaving stations on the west coast of Africa. With these and with the Newfoundland fisheries, Great Britain had a self-contained empire controlling the chief trades of the world. The mother-country supplied manufactures; the West Indies, sugar and sugar products; Africa, slave-labor; and the American colonies, the products of farm, forests, and fishery for the mother-country, and still more for the West Indies. Now as the Seven Years' War drew to an end, it was evident that the West Indian side of this self-contained empire was in danger of proving inadequate. Ever since the régime introduced in 1717 by that mixture of charlatan and genius, John Law, the French islands had gone ahead much faster than the British. Deprived by the selfishness of the Cognac interest in old France of any outlet for their molasses and rum, they had developed an enormous illicit trade with our continental colonies. This the celebrated Molasses Act of 1733 had endeavored to prohibit, but by the connivance of colonial juries, the act had remained a dead letter.

By 1760 it was obvious that our possessions in North America were to be greatly enlarged, that Canada was to be circumscribed, if not wholly taken over, that the British hinterland was to extend to the Ohio, if not to the Mississippi. How then, save by taking over practically all the West Indies, was this greater America to be given an adequate outlet for her raw materials; while if no such out-

² A bibliography of the pamphlets on this subject is being prepared by Professor C. W. Alvord of the University of Illinois, and myself, and will shortly be published.

let were given, would not her surplus population be compelled to turn to manufactures, and thus to overthrow the British monopoly of her market?

This dilemma is the central theme of almost all of these pamphlets. Thus the *Examination of the Commercial Principles* compresses the whole ideal of mercantilism into a sentence when it says, "But if neither sugar nor coffee were exported [from Guadeloupe, a contingency thought possible by Franklin] and the whole of each commodity was employed in the Home Consumption [*i. e.*, imperial consumption, and so not helping our foreign trade] yet would it not be a very material point, that our own Products in one part of our dominions should pay for our products in another, instead of our being obliged to pay ready money for them in foreign markets?" So too the *Letter from a Gentleman in the Country to his Friend in Town, on his Perusal of a Pamphlet addressed to Two Great Men* says that Guadeloupe "alone employs a great Number of Ships, and that all the Islands which we have at present scarce produces Sugar enough to supply our home Consumption, which has been occasion'd by the immense Increase of our domestic Consumption of that Commodity. Of how great Use, therefore, that Island would be to us, not only in Regard to an Increase of Seamen, but of Riches, we may easily judge: For it is our Exports only, not our Imports, which enrich a Country", and he urges that, therefore, either Guadeloupe or the French part of Hispaniola must be kept. Similarly in 1762 *A Letter to the Right Honourable the Lord Mayor, the Worshipful Aldermen, and Common Council; the Merchants, Citizens, and Inhabitants, of the City of London, From an Old Servant*, which was written by one George Heathcote, ran to three editions within the year, and provoked *A Reply to Mr. Heathcote's Letter from an Honest Man*, advocates strongly the idea of a self-contained empire, arguing for the necessity of keeping Guadeloupe, Goree on the West African Coast, and the monopoly of the Newfoundland fisheries; otherwise, he says, with a profusion of capitals, "the people would be (I believe) very apt to reply, JUSTICE—JUSTICE—JUSTICE—HEADS and CONFISCATIONS". On the same principle, in the abortive negotiations of 1761, we find Pitt, who shared to the full in the mercantile beliefs of his day, laying such stress on the retention by Great Britain of both Senegal and Goree, the two most advantageous slaving stations, that this was one of the points on which the negotiations finally made shipwreck.

In discussing this dilemma the *Five Letters* in favor of the retention of Guadeloupe begin with an attack on Canada, which they

say produces nothing but "a few hats", and what do these compare "with that article of luxury sugar, the consumption of which is daily increasing both in America and Europe, and become one of the necessities of life?" Jamaica alone cannot supply us with enough sugar, and "the fur-trade does not employ the hundredth part of the shipping and seamen that the sugar trade does". "No family in England can want [*i. e.*, can be without] sugar twice a day, and few in the North parts of America can want rum as often."

In reply to this, *A Detection of the false Reasons and Facts* gives four answers, and in my opinion has the better of the argument.

1. "We are able to supply every demand of sugar without Guadeloupe; we are not able to carry on the fur-trade with advantage except we can keep Canada."

2. Canada may "be improveable to a variety of Uses, and produce many things, which in course of time shall be found necessary to mankind, and serve many other Purposes of Profit and security; unto which a sugar island, by its situation, cannot pretend".

3. If we have "an Universal Empire on the Continent of North America", we can take the sugar islands when we will.

4. A northern colony is preferable to a southern, being healthier and more suited to the development of a white race.

But the argument soon goes deeper.

The having all North-America to ourselves [says the author of the *Five Letters*] by acquiring Canada, dazzles the eyes, and blinds the understandings of the giddy and unthinking people, as it is natural for the human mind to grasp at every appearance of wealth and grandeur, yet it is easy to discover that such a peace might soon ruin Britain. I say the acquisition of Canada would be destructive, because such a country as North-America, ten times larger in extent than Britain, richer soil in most places, all the different climates you can fancy, all the lakes and rivers for navigation one could wish, plenty of wood for shipping, and as much iron, hemp, and naval stores, as any part of the world; such a country at such a distance, could never remain long subject to Britain; you have taught them the art of war, and put arms in their hands, and they can furnish themselves with everything in a few years, without the assistance of Britain, they are always grumbling and complaining against Britain, even while they have the French to dread, what may they not be supposed to do if the French is no longer a check upon them; you must keep a numerous standing army to over-awe them; these troops will soon get wives and possessions, and become Americans; thus from these measures you lay the surest foundation of unepeopling Britain, and strengthening America to revolt; a people who must become more licentious from their liberty, and more factious and turbulent from the distance of the power that rules them; one must be very little conversant in history, and totally unacquainted with the passions and operations of the human mind, who cannot foresee those events as clearly as anything

that can be discovered, that lies concealed in the womb of time; it is no gift of prophecy, it is only the natural and unavoidable consequences of such and such measures.

To this Franklin replies, not without force, that the internal hatred and jealousy of the American colonies one for another make their union hopeless. The events of the next fifteen years were to prove that he was wrong, and that by the conquest of Canada British power in North America had become at once too supreme, and too far removed from its base.

Then the advocate of Guadeloupe returns to the argument that the Americans will desire independence, and makes it a plea for the necessity of sufficient sugar islands in a self-sustaining empire. By keeping a due proportion between the West Indies, the Slave Coast, and the continental colonies, he says, we have a fourfold trade all within the empire. "Ask any man in most of our American plantations . . . if those West-India islands were doubled in extent and produce, if North-America would not thereby increase and double in value; its trade with these islands be doubled, as well as its trade with Britain." At present "it is there [*i. e.*, in the West Indies] the just proportion to be maintained amongst the three fails".

Franklin had argued that the best way to keep the colonies from thoughts of independence was to give them plenty of room for agriculture, and had argued—one wonders how far honest Benjamin was really sincere—that "a people spread thro' the whole tract of country on this side the Mississippi, and secured by Canada in our hands, would probably for some centuries find employment in agriculture, and thereby free us at home effectually from our fears of American manufactures".

In reply to this the author of the *Five Letters* argues forcibly that the more sugar islands we have the more will America stick to the production of farm produce and raw materials which can be sent to them. Otherwise,

They must naturally put those spare people to learn arts and trades; to make cloaths, shoes, stockings, shirts, etc., smiths, carpenters, braziers, and all the trades that flourish in England: after this is accomplished, of what utility will they be of to Great Britain? . . . but this is not all, for then she will rival you in the West-Indies: America will furnish those islands with every thing that now comes from England, and can do it cheaper. . . . Are not we the only people upon earth, except Spain, that ever thought of establishing a colony ten times more extensive than our own [country]; of richer soils and more variety of climates, productive of every individual thing that our country can yield, and yet fancy, when it comes to maturity, it will still depend upon us, or be of any kind of advantage to us: on the contrary, if it does not become our master, it must soon, very soon, stand our powerful rival in all branches of our trade.

And he sums up his point of view in the sentence: "Will people consider that those shining advantages North America has beyond any other country we know, is the very thing which creates our danger?" On the other hand the West Indies fit into his ideal of a self-contained empire, bound together in the bands of commercial affection, because as islands they "must always be dependent upon her, or some other such power . . . as they produce nothing that the mother-country does".

In reply to which remarkable prophecy Franklin had only the argument to advance that the high price of American labor would prove a fatal bar to the establishment of manufactures.

The advocates of expansion in North America at all hazards won the day, with the result that by the treaty of 1763 the British Empire became long on the products of farm and forest, and short on sugar. An interesting side-issue was the lively controversy which arose toward the end whether Pitt's desire for North American expansion was due to his generous love for the Americans, or to his being under the thumb of the group of West Indian planters in the House of Commons, for whom the conquest of Guadeloupe meant a new and dangerous competitor. On this the most specific statement is made by Mauduit. The fourth edition of his *Considerations*, preserved in the British Museum, has numerous manuscript notes in his own clear handwriting, some of them not without importance for the biographer of Pitt. In one of these he says:

During the whole of Mr. Pitt's administration, no one had so much of his confidence as Mr. Beckford. He was made to believe that he held the City by Beckford's means, and gave free admission to him, while he kept himself inaccessible to every one else. The revealer of his will in the House of Commons was Mr. Beckford, for Mr. Pitt himself seldom went thither. I heard him making most fulsome panegyric on Mr. Beckford's abilities; and three times following insult the whole House for presuming to laugh at Mr. Beckford's professing disinterestedness. Beckford dreaded the increase of our sugar islands, lest that might lessen the value of his lands in Jamaica, and hence proceeded Mr. Pitt's invincible aversion to any attempts on the French Islands; and the speech he made on the first day of the Sessions 1760, soon after the *Considerations* had been published, in which he expressly declared against making any further conquests in the West Indies.⁸ This made it necessary to resume the argument; and the following discourse was written in answer to that speech, the words of which, here quoted in italics, I took down in short-hand as he spoke them.

⁸ Another manuscript note of Mauduit gives Pitt's words on the occasion in question more fully than in the printed text, representing him as saying, "a nation may over-conquer itself; and by being fed with more conquests than it can digest, may have the overplus turn to surfeit and disease instead of nourishment".

Let us hope that no such motives really influenced the Great Commoner.

This Old-World controversy seems to me to prove that at the time imperial theories were much more a subject of discussion than is sometimes thought to be the case; and that the field was still held by the advocates of an empire commercially self-contained. Not till the American colonies had torn away, not till the attempt to carry on the old system after their loss had resulted in futility and widespread discontent, not till the nineteenth century, did the new idea of an empire based on liberty rise above the horizon.

WILLIAM L. GRANT.

THE FIRST NATIONAL NOMINATING CONVENTION, 1808

THE national party convention as a method of nominating candidates for the presidency and vice-presidency dates back in unbroken line to the election of 1832. Long before that, however, the same method was secretly employed by the Federalist party. The Federalist convention of 1812, described in the first volume of this REVIEW by Mr. John S. Murdock,¹ has hitherto been regarded as the solitary instance of a national party convention before 1831. This can no longer be maintained, for new material has recently come to light² which tells the story of a secret meeting of Federalist leaders in New York in 1808 that nominated Pinckney and King for the presidency and vice-presidency, and served as a model for the convention of 1812. This was the original national nominating convention.

A peculiar problem of the Federalist party, repeated in 1808 and in 1812, brought about this premature appearance of the keystone to modern party machinery. On each occasion the policy pursued by the Republicans—in 1808, embargo; in 1812, war with Great Britain—seemed absolutely destructive to the class and sectional interests represented by the Federalists. It was vitally necessary for them to defeat Madison at any cost. In each year an insurgent Democrat—in both cases a Clinton—entered the presidential race with more or less of the Federalist policies as his platform. The question before the Federalist party then, was whether to run their own candidates, or, with much greater chance of winning, to back the insurgent already in the field. Some method was necessary to reach a decision on this point that would be binding on the whole party. One alternative was to adopt the Congressional caucus, the prevailing method of presidential nomination in the Republican party. But to this there were many objections. The Federalists had already, in 1800, found the caucus ineffective for party harmony. In 1808, moreover, there were too few Federalists at Washington to make a Federalist caucus practicable, and the growing unpopular-

¹ "The First National Nominating Convention", *AM. HIST. REV.*, I. 680.

² The Harrison Gray Otis MSS., in the writer's possession. Documents cited in this article are from the Otis MSS., unless otherwise noted.

ity of this method, even in the Republican party, was counted on by the Federalists as part of their political capital against Madison. A convention of delegates was the only alternative.

Early in 1808 the political situation, in regard to the approaching presidential election, was as follows. For the Federalists the outlook was extremely gloomy. In looking over the list of electoral votes³ it was hard to see how 89, a majority, could be secured for a Federalist candidate. Since the election of 1804, in which Pinckney and King received but fourteen electoral votes, the party had continued to lose ground in the states. The governments of New Hampshire in 1805, and of Vermont and Massachusetts in 1807, became for the first time in their history Democratic in every branch. In Congress, the Federalist minority was a negligible quantity. In consequence, it seemed hopeless to expect success for Federalist candidates. Timothy Pickering wrote from Washington in January: "The federalists here are in point of *numbers* so utterly impotent; and democracy governs in nearly all the States with such an overwhelming majority; nothing would be more remote from the contemplation of the federalists than to set up candidates of their own for President and Vice-President. They have only a choice of evils"⁴—to support one of the insurgent movements in the Republican party. Of these there were two. The regular administration nominations—Madison for president and George Clinton for vice-president—were made by "Bradley's Caucus", consisting of 89 out of the 130 Republicans in Congress, on January 23. Two days earlier the "Quids" in the Virginia legislature, John Randolph's

³ The following summary of the election of 1808 may be found useful:

State	Elec. Votes	Method of Choice	Date of Elec. (of State Elec. when Electors chosen by Legislature)	Madison	Pinckney	Clinton
N. H.	7	Legislature	Aug. 29		7	
Vt.	6	Legislature	Sept. 5	6		
Mass.	19	Legislature (not decided until Nov. 7)	Apr. 4–May 30		19	
R. I.	4	Legislature	Aug. 30		4	
Conn.	9	Legislature	Apr. 4		9	
N. Y.	19	Legislature	Apr. 26–May 7	13		6
N. J.	8	General ticket	Nov. 1–2	8		
Pa.	20	General ticket	Nov. 4	20		
Del.	3	Legislature	Oct. 3		3	
Md.	11	Districts	Nov. 7	9	2	
Va.	24	General ticket	Nov. 4	24		
N. C.	14	Districts	Nov. 7	11	3	
S. C.	10	Legislature	Dec. 6	10		
Ga.	6	Legislature		6		
Tenn.	5	Districts	Nov. 7	5		
Ky.	8	Districts	Nov. 14	7		
Ohio	3	Districts	Nov. 7	3		
	176			122	47	6

⁴ Pickering to C. W. Hare, January 16, 1808. Pickering Papers, XIV. 177.

insurgent sect of some two years' standing, nominated James Monroe for the presidential chair. George Clinton's candidacy, caused by the disappointed ambition of his clan for the regular presidential nomination, was announced in March,⁵ and speedily supported by a number of influential Republican newspapers.⁶ Indications soon appeared that the Clintonians were bidding for Federalist backing. Rumor had it that Clinton disapproved of Jefferson's Embargo;⁷ James Cheetham and, of all persons, the *ci-devant* Citoyen Genêt,⁸ vied with the Federalist editors in exposing French influence in the administration. Here was the Federalists' opportunity. Instead of going down to certain defeat with candidates of their own, why not join in supporting Clinton, who was thus endorsing their policies? Coalition with the Democrats was not unprecedented—it had already been effected in state elections in Pennsylvania, New York, and Rhode Island.

There was a certain amount of correspondence early in the year among leading Federalists in regard to the presidential nominations,⁹ but serious consideration of that topic was postponed until after the spring elections in Massachusetts and New York. These elections were in reality a part of the presidential election, for in New York it was already provided that the legislature would choose presidential electors, and in Massachusetts, as no method had yet been fixed, the decision rested with the legislature about to be chosen. Under those circumstances, it seems strange that the Federalists did not make their presidential nominations before the state elections

⁵ His letter of March 5 disavowing the Washington caucus is in the *Philadelphia United States Gazette*, March 8, 1808, and all leading Federalist newspapers, also in *Communications on the next Election . . . by a Citizen of New York* (n. p. 1808), p. 35, n. 2.

⁶ James Cheetham's *American Citizen*, the leading Democratic journal of New York City; his *Republican Watch-Tower*, the *Washington Expositor*, the *Albany Register*, and, for a time, the *Philadelphia Democratic Press*. The most formidable electioneering pamphlet for Clinton was *An Address to the People of the American States who choose Electors* (Washington, April, 1808).

⁷ The *Boston Columbian Centinel*, June 25, 1808. J. D. Hammond, *History of Political Parties in the State of New York*, I, 269, n. The *American Citizen* began to attack the Embargo in August.

⁸ Genêt's "Lucubrations" (as the *Washington Monitor* called them), in behalf of his father-in-law, appeared in the *Albany Register* over various pseudonyms. He was also the author of the pamphlet mentioned in note 5.

⁹ Pickering's letter, quoted above, discussed the merits of Madison, Clinton, and Monroe, and decided in favor of the latter. "Mr. Monroe is inferior in learning and discernment to Mr. Madison: but then he is a more practical man; and we think more upright than either of the candidates. Indeed we know of nothing to impeach his integrity. Considering his diplomatic career—a portion of it amid the hot-bed of corruption—Paris; his actual poverty is a proof of his honesty." A rare compliment for Timothy Pickering to pay to a "Jacobin", and an amusing comparison to his ferocious attack on Monroe in 1797. See also William Barton to Pickering, March 19, 1808. Pickering Papers, XXVIII, 245.

began. They probably wished to make a test of their strength, before deciding between separate candidates and a coalition with the insurgents.

The results of the early state elections were highly encouraging to the Federalists. In Massachusetts, owing to the injudicious nomination of Christopher Gore,¹⁰ they failed to capture the governorship, but secured what was far more important, a working majority in both houses of the legislature.¹¹ The New York Federalists failed to do so well, but managed to increase their delegation in the assembly from 21 to 45, which, out of a total number of 105,¹² would make a Clinton-Federalist alliance irresistible. These results were brought about mainly through the skilful use by Federalist leaders of a potent electioneering weapon furnished them by Jefferson—the Embargo. They were quick to see its possibilities for stirring up the people. “The Embargo will ‘touch their bone and their flesh’, when they must curse its authors”, wrote Timothy Pickering.¹³ The first gun of the Massachusetts, and incidentally of the presidential campaign, was Pickering’s violent attack on the administration’s policy in his letter to Governor Sullivan.¹⁴ It was printed in every Federalist newspaper in the country, and thousands of copies, in pamphlet form, were circulated throughout the state and the Union.¹⁵ Pickering’s letter was the means of “arousing the people from their lethargy”,¹⁶ of playing on the distress which commercial restriction caused a seafaring population, and shaking off the fatal apathy that

¹⁰ Christopher Gore’s nomination was distinctly the work of the Essex Junto. He was, as the Republicans did not fail to point out, the son of a refugee Tory, and his only public service so far had been in England as commissioner under the Jay treaty, and chargé des affaires. His vote in Boston fell 600 short of Caleb Strong’s in 1807.

¹¹ The votes on May 25 for speaker of the house and president of the senate were 252-221, and 19-17, in favor of the Federalist candidates.

¹² J. D. Hammond, *Political Parties in New York*, I. 261, 268.

¹³ To George Rose, March 13, 1808. Pickering Papers, XIV. 197.

¹⁴ *A Letter from the Hon. Timothy Pickering . . . Addressed to his Excellency James Sullivan* (Boston, March 9, 1808).

¹⁵ Christopher Gore to Rufus King, March 10, 1808. C. R. King, *Life and Correspondence of Rufus King*, V. 88. The Democrats asserted that no less than 25,000 copies of the Pickering *Letter* were distributed.

¹⁶ This phrase, as applied to the Embargo, is repeated, with variations, by Gore (letter cited), by Josiah Dwight of Northampton in a letter of March 16, 1808, to H. G. Otis, and by John Henry, the British spy, in his letter of March 10, 1808, to H. W. Ryland (Henry Adams, *United States*, IV. 245). “Curtius” in the Boston *Columbian Centinel*, January 23-27, 1808, writes under the head, “The Embargo a Blessing”, that the Embargo will so redound to the advantage of the Federalists, that he is astonished at the opposition of Federalist editors to it. “The Embargo is our *Panacea* . . . It is the cure of all our evils”. Timothy Dwight, so late as December 21, 1808, hopes that the Embargo may “remain until it has thoroughly done its work”. Pickering Papers, XXVIII. 418.

had characterized the Federalist party in the last seven years. Federalist leaders rightly calculated that popular discontent with the "Terrapin Policy" would increase in geometrical ratio to its duration. The Massachusetts and New York elections turned the tide of "corruption so rapidly extending";¹⁷ might not the ebb tide of reaction prove strong enough to carry a Federalist candidate to the presidential chair?

With these considerations in their minds, the leaders now began in earnest the work of deciding on the moot question of the presidential nomination. The first move¹⁸ came from Philadelphia. Charles Willing Hare, a prominent Federalist of that city, one of its representatives in the Pennsylvania assembly, wrote Harrison Gray Otis on June 2, 1808:

We are desirous here to learn what steps you mean to adopt in Massachusetts, with regard to the election of President. Whether you determine to nominate a federalist, or to support General Clinton,¹⁹ it is equally necessary that we should hear from you. Our Electors are chosen in November by the people, in one ticket for the whole State. Hence the time has nearly arrived, at which in the event of its being determined to support a federal candidate, some previous arrangements should be made. Or if you and our friends generally are inclined to vote for Clinton it is right that we should be apprized of it, in order that we may prepare to yield an efficient support to that portion of the democrats, who advocate his election. As your Legislature is now federal and is in session it is generally expected here that the first movement will be with you. And your advice would have decisive influence with us.

Details of the action of Federalist leaders in Massachusetts, on receipt of Hare's letter, are preserved in two letters of Christopher Gore to Rufus King.²⁰ The Federalist legislative caucus at Boston appointed a Committee of Twenty,²¹ which in turn appointed a Com-

¹⁷ Pickering's complaint in 1804. H. Adams, *New England Federalism*, p. 352.

¹⁸ Gore says as much in his letter of June 16. King, *Rufus King*, V. 101. Hare's letter itself is among the Otis papers.

¹⁹ After April, no more is said in Federalist correspondence about supporting Monroe. It soon became evident that Monroe had no support outside of Virginia.

²⁰ Boston, June 8 and 16, 1808, printed in King, *Rufus King*, V. 100-102.

²¹ Gore's letter says the Committee of 20 "were chosen by the Federalists consisting of nearly three hundred". This is undoubtedly the legislative caucus, as (1) the legislative caucus was organized, as indicated by a letter of June 1 from James Lloyd to "Hon'ble Mr. Otis, Chairman of Federal meeting of the members of the legislature", accepting the caucus nomination for senator; (2) the voters in house and senate for Lloyd, as Adams's successor, plus the nine members of the council, amount to almost 300; (3) all the members of the committee except Cabot were then members of the legislature, and Cabot was in the council; (4) no "Grand Federal Caucus" (mass-meeting)—the only other body by which the committee could have been chosen—is advertised in Boston papers for June 4-8, although one is advertised for April 3, and another for May 10, in the *N. E. Palladium*.

mittee of Correspondence, "to correspond with the Federalists in other states on the business of the next Election of President and V. President",²² and "for the purpose of concerting our arrangements, and ascertaining, as far as could be done, the Weight of the Federalists in the next Election". The committee consisted of George Cabot, Harrison Gray Otis, president of the senate, Christopher Gore, who had been elected to the house after his defeat for the governorship, Timothy Bigelow, speaker of the house, and James Lloyd, a Boston merchant who had just been chosen Adams's successor in the United States Senate. All were Boston men, and all, except Otis, were of the Essex Junto persuasion, recognizing Pickering as their leader.²³ The committee held a meeting on June 10, when "after some Conversation, it was deemed advisable to propose a meeting of Federalists, from as many States, as could be seasonably notified, at New York the last of this, or the Beginning of the next month".²⁴

Here, then, is the original proposition²⁵ for the original nominating convention.²⁶ The idea was revolutionary in party machinery, both from a Federalist and a national point of view. By 1808 the Republican party had brought the convention system of nomination to a high degree of development in the states,²⁷ but this movement was regarded by the Federalist party with mingled suspicion and contempt. Ever since the pernicious activities of the Jacobin clubs—the "self-created societies" of 1793–1794—every type of extra-legal machinery was anathema to Federalists, especially to the New England section of the party. Nominations by conventions of delegates were illegal, revolutionary, despotic. The people were bartering away their franchise in promising to support the candidates of a set of delegates.²⁸ In the eyes of most Federalists in

²² Compare this indirect method of election with similar methods of appointing committees of correspondence in New York in 1789. G. D. Luetscher, *Early Political Machinery in the United States*, p. 115.

²³ I take it that the Essex Junto, from 1800 to 1815, should be defined as the Massachusetts Federalist leaders who opposed John Adams in 1800, who condoned the Chesapeake outrage, and who squinted at secession in 1814.

²⁴ Gore's letter of June 16 to Rufus King. King, *Rufus King*, V. 101.

²⁵ So far as appears from the available sources. The idea was probably discussed by H. G. Otis with New York and Philadelphia politicians on a visit he made to those cities in May, 1808.

²⁶ Note Hare's use of the term convention in his letter of June 19 to Otis, below.

²⁷ Luetscher, *Political Machinery*, chs. III–IV.

²⁸ Excellent examples of this attitude are given in G. D. Luetscher, pp. 69–72, 105, 141–143. See also a leading article, "Freedom of Election", in the *Columbian Centinel*, August 3, 1808. Curiously enough, the Federalists held one of the first conventions that nominated candidates for office (in Pennsylvania, 1788). J. S. Walton, *AM. HIST. REV.*, II. 264.

1808, the only proper methods of nomination were by mass-meetings, or by personal friends of the candidate.²⁹ Hence, when as frequently happened, the leaders found the use of some proscribed method of nomination a political necessity, the fact was carefully concealed from the body of the voters. This was the case with the convention of 1808; the modern student will search the Federalist press in vain for the slightest hint of its existence. Our knowledge of it is derived exclusively from the correspondence of the Federalist leaders, and from impudent disclosures by Republican editors, who naturally took great pleasure in lifting the veil of secrecy.

The work of securing a national representation in the convention was carried on by personal communications from Boston, New York, and Philadelphia. The Massachusetts Committee of Correspondence met on June 10, Christopher Gore informs us,

and immediately sent Livermore³⁰ to N. Hampshire, and we are flatter'd with the Belief that the Electors of that State will be federal. . . . Bigelow sets off on Monday for Vermont to consult and arrange with the Feds of that State, on their sending some person or persons to the meeting in N. York; and to attain the best Data for forming an opinion as to the Result of their Election. Otis is now at R. Island.³¹

These movements were all duly reported by the opposition press.³²

²⁹ Pennsylvania is an exception to this statement. Here the Federalists in 1808 are using the county convention to nominate county officers, members of Congress, members of the state assembly, to confirm the nomination of governor, and issue election addresses. (*E. g.*, in Franklin, Lancaster, and Westmoreland counties; *Relf's Philadelphia Gazette*, August 23, September 7 and 10, 1808.) The Pennsylvania Federalists reserved their criticisms for the legislative caucus. J. S. Walton, *Am. Hist. Rev.*, II. 175.

³⁰ Probably Edward St. Loe Livermore (1762-1832), originally a New Hampshire man, member of Congress from the Essex north district, 1807-1811.

³¹ To Rufus King, June 16. King, *Rufus King*. V. 101.

³² The Amherst (N. H.) *Farmers' Cabinet* of August 23, 1808, states that "Delegates from the Essex Junto met the Federal representatives of the State in the late session at Concord" (which ended June 14) and drew up a slate of presidential electors, which was afterwards published (in the *Portsmouth Oracle*, September 24) as coming directly from the people. This charge is probably true, as the electoral ticket made a premature appearance in the *Boston Columbian Centinel* on June 25, much to the surprise of the New Hampshire Federalists (Keene, *New Hampshire Sentinel*, July 16). "A Traveller" notifies the *Boston Democrat* of July 6 that the Essex Junto's "agents may be found in every state of the union, disseminating falsehoods. If you travel northward into Vermont . . . you may hear of an hon. sp. r [Bigelow] perambulating those parts, perhaps for the laudable and patriotic purpose of assisting to enforce the *Embargo laws* on Lake Champlain!!! If you travel southward, you may find the son of an old *refugee tory* [Lloyd or Gore] whose father's life was 'justly devoted to the cord', together with hon. senators, closeted with Bond, their majesty's consul." The *Boston Independent Chronicle* of June 16 states, "Caution—beware of Counterfeits!! The citizens of Rhode-Island are cautioned against the tricks and devices of *two federal missionaries*, well and truly paid by the Essex Junto here, to propagate all kinds of falsehoods, etc., to answer electioneering purposes for the choice of Electors."

On the day following the committee meeting Otis wrote Hare in Philadelphia³³ and received from him an answer as follows, dated June 19.

I received yours of the 11th on the 16. I immediately took measures for convening a few of our most active firm and discreet friends. A Meeting of about a dozen was held yesterday—at which your objects and reasoning were stated—and so far as regards the propriety of the proposed convention, immediately and without hesitation acquiesced in. A Committee consisting of Messrs Fitzsimons R Waln Latimer Morgan³⁴ and myself, were appointed to correspond with you—and in obedience to your suggestion to “organise for the South.” We shall immediately write to some of our friends in Maryland and Delaware, and after having heard from them I shall again address you. It has appeared to us, that the second Monday in August would be a convenient time for assembling. The State of our foreign relations will then have been better ascertained, and some further Manifestations of public feeling will probably have been made. At the same time it will not be too late for a full correspondence with the Southern Federalists.

Subsequent letters from Hare to Otis inform us that a delegate was sent to Delaware, but that James A. Bayard, the Federalist “boss” of that state, threw “cold water upon the idea of holding a Meeting, and in his letters here has rather endeavored to persuade us to abandon the project”.³⁵ Through Robert Goodloe Harper the co-operation of the Maryland Federalists was secured. South Carolina was communicated with through the Charleston “junto”, as John Rutledge jocosely called a Federalist committee in that city.³⁶ The New York Federalists were informed of the convention project through Gore’s letters to Rufus King; and Judge Egbert Benson, after a personal interview with the Massachusetts committee,³⁷ was given the task of attending to Connecticut and New Jersey. Benson reported to Otis from New York on July 13 as follows:

On my return through Connecticut I saw Messrs. Goodrich and Daggett;³⁸ and after being at Home a day or two I determined to go to

³³ Unfortunately there are no copies of Otis’s own letters of this year preserved in the Otis papers, and the writer has not succeeded in recovering any of the originals.

³⁴ Thomas Fitzsimons (1741–1811), Robert Waln, George Latimer, and Benjamin R. Morgan, all active Philadelphia Federalists. These four were members of the “Federal Committee of Correspondence of the City and County of Philadelphia”, appointed at a mass-meeting on March 7. *U. S. Gazette*, March 8; *Relf’s Philadelphia Gazette*, June 25.

³⁵ Hare to Otis, July 12, 1808.

³⁶ Rutledge to Otis, September 18, 1808. This was the younger John Rutledge, member of Congress, 1797–1803. He and Henry William De Saussure, the future chancellor, were members of the “junto”.

³⁷ Duly reported in the Democratic press of New York. (*Letters of Marcus and Philo-Cato*, new ed., 1810, p. 70.)

³⁸ Chauncey Goodrich (1759–1815), then senator from Connecticut, and Daniel Daggett (1764–1851), a member of the state legislature.

New Jersey, where I saw Messrs. Ogden and Stockton;³⁹ and to Philadelphia, where I saw Messrs. Rawle and Hopkinson.⁴⁰ To all these several Gentlemen I mentioned how anxious and zealous You were in Boston as to the ensuing Presidential Election, and Your Intention to convene a number of our Friends from other States to confer and come to some general Understanding on the following Points, Whether it shall be advisable for Us to have federal Candidates for President and Vice President? If so, Who shall they be? If not, then, Shall the federal Electors, wherever they may happen to be chosen, vote for Clinton or for Madison?, and lastly, Shall the Removal of the Seat of Government, back to Philadelphia, be attempted?⁴¹—that my mission to them was to suggest that they should instantly associate to themselves such Persons as should think proper to form a Committee of Correspondence through You with our friends in Boston, and You doubtless will hear from them soon. The Gentlemen in Philadelphia will send some Person on the like Errand to Delaware.

No effort seems to have been made to get into communication with the North Carolina Federalists, who proved strong enough to give Pinckney three electoral votes, or with Virginia, where Federalism still prevailed along the Potomac and the Shenandoah.⁴² The western states, where the party still existed in a moribund state, were also neglected, although some attempt was made to communicate to

³⁹ Aaron Ogden (d. 1829) and Richard Stockton, jr. (1764-1828).

⁴⁰ William Rawle (1759-1836) and Joseph Hopkinson (1770-1842).

⁴¹ A project of this sort was moved in the House of Representatives in February, 1808, the object being to remove the Capitol from "Virginia Influence". Hare writes Otis, July 12, "In Maryland we are informed great fear and anxiety prevail relative to the removal of the seat of Government, and on this account in that State, our friends are warmly desirous to have a Southern President." With representatives from Maryland and South Carolina present, the project could hardly have been brought up in the convention.

⁴² A letter of William R. Davie, the Federalist leader of North Carolina, written August 15, 1808, shows him to have been completely out of touch with the rest of the party. *James Sprunt Historical Monographs*, no. 7, p. 68. Augusta County, in the upper valley of Virginia, was a nest of Federalists. At Staunton, the county-seat, a Federalist mass-meeting on September 17 appointed a committee which drew up a strong election address, made an independent nomination of Pinckney and King, and formed an electoral ticket by correspondence with Federalists in other counties. This ticket was communicated to the Federalist newspapers of Richmond, which failed to publish it, as the Federalists of that place had decided, as the only means of making their vote count, to support the Monroe electoral ticket. This brought out an acrimonious address from the Staunton committee, stating that they wished nothing to do with Monroe, after his correspondence with Jefferson, "besides our objection, on principle, to all temporising". *N. Y. Evening Post*, October 4, November 5, 1808; C. H. Ambler, *Sectionalism in Virginia*, pp. 87-90. It was here that, in 1812, the convention was held which refused to endorse DeWitt Clinton, and nominated independently Rufus King and General Davie (E. Stanwood, *History of the Presidency*, p. 102). A strong Pinckney election pamphlet was written by a Virginian (J. T. Danvers, *Picture of a Republican Magistrate*, N. Y., 1808).

them the nominations.⁴³ Federalism was as much out of place beyond the Alleghanies as powdered hair and silk stockings. In Georgia, the Federalist party had been dead since 1800.⁴⁴

In the third week of August⁴⁵ this embryo national convention met in New York. Its existence even could not be guessed from Federalist journals, but the coming together of so many noted Federalists did not escape the vigilant eyes of the Democratic press.⁴⁶ Where the sessions were held can only be a matter of conjecture. Representatives were present from eight states: New Hampshire, Vermont, Massachusetts, Connecticut, New York, Pennsylvania, Maryland, and South Carolina.⁴⁷ Rhode Island was unable to send a delegate, because no one could be spared from the state campaign that was then going on.⁴⁸ Delaware was unrepresented on account of Bayard's opposition to the meeting; New Jersey for unexplained reasons. The number and the personnel of the members is also largely a matter of conjecture; but it is certain that Massachusetts sent three members of the central committee, Otis, Gore, and Lloyd;⁴⁹ Thomas Fitzsimons and Hare⁵⁰ were among

⁴³ "With the States of Ohio, Kentucky, and Tennessee we have no means of Communication. We have been informed, that a few Votes may be secured in those States by the Attention of Influential Characters in the State of South Carolina. This Suggestion is respectfully submitted to the Consideration of our Friends in Charleston—Urging and entreating them to lose no Time in adopting every proper and effectual Measure for communicating with those States, and to spare no Exertions to secure to our Candidates at least a Portion of the Votes of those States. We also rely with Confidence on your Attention to our Friends in North Carolina—their Distance prevents any safe and timely Correspondence with them on our Part." New York Federalist Committee to Charleston Federalist Committee, September, 1808. Otis MSS.

⁴⁴ U. B. Phillips, *Report of the American Historical Association*, 1901, II, 92.

⁴⁵ The third Monday in August, the 15th, was the date agreed upon beforehand, but it is probable that the first session was not held until the latter part of the week, as Cabot is still writing to Otis his final arguments for Clinton on the 14th, and no comments on the meeting appear in newspapers before the 20th (N. Y. *Public Advertiser*).

⁴⁶ "On Friday last, a detachment from the Essex Junto passed through Hartford, on their way to New-York, there, by agreement, to meet the other 'choice spirits', for the purpose of appointing a KING to rule over us." *Boston Independent Chronicle*, August 22. "Federal Delegates from the eastern and southern states have arrived in this city. It is said that the long protracted COMPROMISE is about to take place, in order to give a 'successor' to Mr. Jefferson!" *Ibid.*, quoting the N. Y. *Public Advertiser*.

⁴⁷ "The States of Massachusetts, New Hampshire, Connecticut, Vermont, New York, Pennsylvania and Maryland were severally represented at those Deliberations, as was likewise the State of South Carolina by our respected Friend John Rutledge, Esquire of your City." New York Committee to Charleston Committee, September, 1808. Otis MSS.

⁴⁸ George Cabot to Otis, August 14, 1808.

⁴⁹ George Cabot to Timothy Pickering, August 10, 1808. H. C. Lodge, *George Cabot*, p. 397.

⁵⁰ Fitzsimons to Otis, October 4, 1808. "When we separated at New York."

the Pennsylvania delegation; Josiah Dunham⁵¹ came from Vermont; and John Rutledge, from South Carolina.⁵² The total number could not have been more than twenty-five or thirty. The great handicap to a wider representation was undoubtedly the expense and time necessary at that period for a journey to New York—Rutledge's presence was due to the fact that he always spent his summers in Newport. Of the method of choosing delegates we have no direct evidence, but there can be no doubt that they were selected by the exclusive committees formed in the different states as indicated by Hare's and Benson's letters.

In composition, as in objects, the resemblance of the 1808 convention to that of 1812 is striking. The latter was attended by over seventy delegates, but the sectional representation was the same as in 1808. Delegates were present from the three northern states which failed to take part in 1808, but in both conventions the West was unrepresented, and the South only by Maryland and South Carolina. In neither was any attempt made to limit the size of the delegations.⁵³ Both were representative only of the party leaders,⁵⁴ and both were intended to be kept secret from the mass of voters.

Of the proceedings of the 1808 convention, we know no more than the bare result, but the whole question between supporting Clinton and making separate nominations was so thoroughly threshed out in the correspondence preceding the convention, that we may fairly assume the line of argument that led to the rejection of the project of coalition.⁵⁵ The question was simply one of

⁵¹ Cahot to Otis, August 14, "Mr. Bigelow has a letter from Mr. Dunham on his way to meet you" (Otis was already in New York). Josiah Dunham was a Vermont Federalist, who afterward tried to get into the Hartford Convention, but was refused admittance on account of some irregularity about his credentials.

⁵² Besides the above, we may reasonably assume the presence of R. G. Harper from Maryland, and of the New York Federalists who afterward appeared as the central committee; namely, Jacob Radcliff, J. Ogden Hoffman, Cadwalader D. Colden, and Samuel Jones, jr. We have the very untrustworthy authority of "Thrasso" in Duane's *Aurora* of August 31, that Gouverneur Morris acted as chairman.

⁵³ J. S. Murdock, in *AM. HIST. REV.*, I. 682; B. C. Steiner, *James McHenry*, pp. 583-586.

⁵⁴ The Massachusetts delegation in 1808, and a few of the others, were representatives of the majorities in the state legislatures, but judging from the Massachusetts methods, they must have passed through as many successive winnowings as a French Senator of the Consulate. Mr. Murdock's inference that the New York delegates to the 1812 convention were elected by a state convention (*AM. HIST. REV.*, I. 682), is not justified by the authorities to which he refers, and the proceedings of the state convention (at Albany, September 17-18) make no reference to such a delegation. *N. Y. Evening Post*, September 25, 1812.

⁵⁵ Richard Hildreth, who heard of the convention either from Republican newspapers or Federalist tradition, is probably the originator of a statement

expediency. Were the Federalists strong enough to elect their own candidates? If not, would Clinton bring the party enough votes to ensure victory? Would the election of Clinton benefit the Federalists in any case? These are the questions the pro and con of which were discussed down to the eve of the convention, and there is no reason to suppose that the final decision was reached from any different data. The Federalist correspondence is again our only source, for the Federalist press kept silence on this as on other matters connected with the nomination.⁵⁶

The chief support of the Clinton coalition came from Boston. Otis, whose eloquence, it is said, turned the balance in favor of DeWitt Clinton in the Federalist convention of 1812,⁵⁷ was equally strong in favor of George Clinton in 1808. Another powerful advocate of coalition was George Cabot. Cabot since 1804 had occupied in his party a position similar to that of Jefferson in the Republican party after 1808. From Brookline, as from Monticello, the active party leaders received letters that spoke with authority. Easily the intellectual leader of his party since the death of Hamilton, George Cabot in his study at Brookline saw what no other Federalist had the wisdom to see, that a page of democratic evolution had been turned, and the days of Federalist ascendancy had passed never to return. He writes Otis,⁵⁸ already on his way to New York, that it is useless to attempt the election of a Federalist president—the Democrats are in a majority, and:

I find from Dr. M⁵⁹ that Mr. R and other respectable Federalists have often declared their doubts of the utility of a Federal President in the

(*United States*, VI. 94), since repeated and enlarged upon, that the proposed coalition failed because DeWitt Clinton did not reply satisfactorily to overtures of the Federalists. (J. B. McMaster, *United States*, III. 317; H. Adams, *United States*, IV. 284; DeA. S. Alexander, *Political History of New York*, I. 166.) Such was the rumor stated by the *Aurora*, August 31, N. Y. *Public Advertiser*, August 29, *Washington Monitor*, September 5, 1808. There is no evidence among existing correspondence that overtures of any sort to DeWitt Clinton were even contemplated; there is every evidence that the question was decided on entirely different grounds. In 1812, however, definite assurances were received from DeWitt Clinton before the convention of that year met. King, *Rufus King*, V. 264-271. No reference to the Federalists is made in the letters of 1808 between George and DeWitt Clinton that have been preserved (Library of Columbia University).

⁵⁶ I have noticed but one discussion, from the Federalist point of view, of the nomination question in a Federalist newspaper (New York *Review*, quoted in the *Boston Gazette*, July 4 and 7). The Boston Federalist newspapers in June and July published a number of articles commending the character of George Clinton—thus reflecting the views of their leaders—but they do not venture to discuss the question of the nominations.

⁵⁷ William Sullivan, *Public Men of the Revolution*, pp. 350-351, n.

⁵⁸ Cabot to Otis, two letters of August 14, 1808.

⁵⁹ Probably Dr. J. M. Mason of New York.

shameful state to which our affairs have been brought⁶⁰—but there is a great difference of opinion between them and me on the final effect of Jeffn and Madn continuing at the head 4 years more. they believe the evils that wou'd be produced by protracting the period of their mal-administration wou'd make madmen wise; we think it wou'd make wise men mad. to me it seems incredible that the *many* will ever from a sense of their own abuse of power *voluntarily* transfer it to those over whom they have been exercising it. if there are sufferings they will chiefly be ours, or if universal they whose vice and folly produce them will never ascribe those sufferings to their own misconduct. If however Discontent demands a change it will be made in favor of the most turbulent who in such times are exclusively heard. I think the quietude of the Community under the Embargo laws with the extraordinary Rescripts that followed, furnishes the amplest proof of Mr. Jefferson's absolute power. . . . The people will adhere to those who are the instruments of their passions, and will shun those who wou'd controul them.

Cabot believed that Clinton would reverse the policy of Jefferson, and that his election should be sought as the greatest attainable good. The correspondence indicates, however, that the decisive element in the discussion was the practical question, whether Clinton could carry Pennsylvania. Down to the middle of July it seemed probable that he could. Early in 1808 the alliance between the Federalists and Constitutional (conservative) Republicans of Pennsylvania, which had supported the administrations of McKean, broke up. The Constitutionals, eager to anticipate the Conventionals (radicals), in the favor of the administration, held a caucus at Lancaster, early in March, nominated Spayd for governor, and an electoral ticket pledged to vote for Madison. Shortly afterwards the Conventionals, headed by Duane and Leib, called a mixed legislative caucus, nominated Simon Snyder for governor, and a second Republican electoral ticket—unpledged, but apparently intended to vote for Clinton.⁶¹ As there seemed to be some doubt about this, a convention of Snyderite delegates from the towns of Northumberland County held on June 28, and controlled by two strong Clinton Democrats, Samuel Maclay and William Montgomery, tried to force the hand of their party by resolving to support the Conventionalist electoral ticket, on the understanding

⁶⁰ Cf. James A. Bayard to Hamilton, April 25, 1802. "Let us not be too impatient, and our adversaries will soon demonstrate to the world the soundness of our doctrines, and the imbecility and folly of their own. Without any exertion upon our part, in the course of two or three years they will render every honest man in the country our proselyte." (Hamilton's *Works*, 1851 ed., VI. 544.) Fisher Ames writes in 1801: "The feds maintain twenty opinions, the best of which is quite enough to ruin any party. 'Let the people run themselves out of breath—all will come right. There is no occasion for us to do anything'." J. H. Morison, *Jeremiah Smith*, p. 231.

⁶¹ W. M. Meigs, "Pennsylvania Politics early in this Century", in *Pa. Mag.*, XVII. 462-490; Stanwood, *History of the Presidency*, p. 92.

that its vote would be cast for Clinton.⁶² This looked as if Clinton could carry Pennsylvania with the aid of the Federalists, and the Philadelphia Federalists were almost converted to the coalition,⁶³ when the real leaders of the Conventionalist party, Duane and Leib, came out for Madison in an unmistakable manner. In an *Address to the Citizens of Pennsylvania*,⁶⁴ they rebuked the Democrats of Northumberland County for their endorsement of Clinton, asserted that the Lancaster electoral ticket would vote for Madison, and eventually patched up a truce with the Conservative wing of their party.⁶⁵ By the time that the Federalist convention met in New York, Democratic harmony in Pennsylvania was complete, and it was obvious that Clinton's independent strength outside New York was nil.

That Clinton could carry New York state, with Federalist aid, was certain. Were, however, nineteen electoral votes worth the abandonment of principle that a coalition with Clinton would imply? One of the traditional principles of the Federalist party was that only within its ranks could be found men competent to govern the country. The nomination of Clinton would be a frank admission to the contrary. Judge Theodore Sedgwick wrote on this aspect of the question to Otis on June 6:

It is of infinite importance that the leading federalists should conduct in such manner as to convince the publick that they are actuated by principle. This, I imagine, can hardly be the case unless they act by themselves, and keep themselves separate from the diffarant parties into which their adversaries are divided. . . . I cannot endure the humiliating idea that those who alone from education, fortune, character and principle are entitled to command should voluntarily arrange themselves under the banners of a party in all respects inferior, and in many odious, to them.

It was distance as well as expediency that lent enchantment to the view of an alliance with Clinton. The New York Federalists would have none of him. "We have condescended twice to tamper with Democratic Candidates",⁶⁶ writes Abraham Van Vechten to

⁶² The resolutions are printed in the *Boston Columbian Centinel*, July 20, 1808 (quoted from *U. S. Gazette*).

⁶³ Hare to Otis, July 12, 1808.

⁶⁴ *Address of the State Committee of Correspondence to the Citizens of Pennsylvania* (Philadelphia, 1808); also in the *Aurora*, August 8. Duane, Leib, and Leiper were members of this committee, which was appointed by the mixed caucus at Lancaster. The Federalists charged that this move was caused by the army appointment of Duane early in July, but the *Aurora* was strongly Madisonian some months previous. See also Duane's letters to Madison and Jefferson, in *Proceedings of the Massachusetts Historical Society*, second series, XX, 308-311.

⁶⁵ In the meetings at the Rising Sun Tavern, August 13 and 24. Meigs, p. 478.

⁶⁶ Burr and Lewis.

Otis,⁶⁷ "and in both instances have been subjected to severe self-reproach. Our experimental knowledge of the Clintonian System is a powerful Antidote against affording it any facility here." He and his friends saw nothing to choose between George Clinton and James Madison.

For the reasons given, then—the weakness of Clinton, and the fact that his nomination, while helping the Federalists little or none, would injure their party character—the New York convention decided to place Federalist candidates in nomination. Their decision was announced to the Charleston Federalists in the following words:

After several Meetings, and after the most mature and dispassionate Consideration of the Subject, we formed a conclusive opinion, as to the Line of Conduct most proper for the Federal Party to observe. It was decided to be our Correct and dignified Policy to afford neither Aid nor Countenance, direct or indirect, to any of our political opponents, but, holding ourselves perfectly distinct, to nominate Federal Characters for the offices of President and Vice President, and to support them, with our uniform, zealous, and vigorous exertions. . . . Having decided on the Measure, no difference of opinion could exist as to the Selection of Candidates, and Charles Cotesworth Pinckney for the office of President, and Rufus King for the office of Vice President, became without the least Hesitation our Choice.⁶⁸

This was the same ticket as in 1804. The choice of Pinckney was due to his high character and reputation of patriotism, to the hope of capturing his native state, and to the wish of avoiding the stigma of sectionalism, of which political parties in the United States have always been remarkably sensitive. He was distinctly the most "available" candidate.⁶⁹

The above letter shows conclusively that the convention carried out the purpose for which it was summoned, and made a definite nomination of president and vice-president. This was not done in 1812. The convention of that year broke up after registering a simple *væu* in favor of DeWitt Clinton, leaving the real decision

⁶⁷ July 21, 1808. Van Vechten was a leader of the Federalists in the assembly; see index to DeA. S. Alexander, *Political History of New York*.

⁶⁸ Letter of New York Federalist Committee of Correspondence (which was evidently appointed by the convention to a position corresponding to the modern Committee on Notifications), to the Charleston Federalist committee, September, 1808. Manuscript copy enclosed in letter of October 9 from the New York committee to the Boston committee.

⁶⁹ D. Ramsay, *History of South Carolina*, II. 442. The only indication of any opposition to Pinckney's nomination, when once Clinton was ruled out, is a statement of Christopher Gore, in his letter of June 16 to Rufus King, to the effect that "Our Gentlemen are anxious to support a federal candidate, and that from New York, instead of from S. Carolina; provided there is the least probability of Success." King, *Rufus King*, V. 101.

to a committee that was to sit in Philadelphia and continue the correspondence.⁷⁰

Having summoned and carried on the convention in secret, it was necessary to be extremely discreet in announcing its nomination. The original plan for the public nomination, and the reasons for making an eleventh-hour change, are given in the following letter of October 4, from Thomas Fitzsimons of Philadelphia to Gore, Otis, and Lloyd, the Massachusetts delegation:

When we seperated at New York, it was understood, that the result of our Conference, should not be made public, until, the event of the Election in Pennsylv.⁷¹ should be known, and until the Conferees⁷² from that State, should deem a publication of it proper.

Circumstances have since Occurred, which in their oppinion rendered any publication of that Kind Inexpedient, and led them to conclude that the safer Course, would be to leave our friends in each state to Announce the Candidates to their fellow Citizens, at such time, and in such way as they should themselves think best. We were Led to this conclusion, from having observed something like a Jealousy, in our friends at having a Nomination so Important decided on by so small a No. as we were, and without any Special authority for the purpose, for altho there appears to be no division of sentiment thr'out the state, as to the Candidates, yet it was deemed most prudent that it should appear rather the result of General sentiment than as the Choice of a few to bind their party. to this effect, I wrote our friends at New York, still considering ourselves bound to conform to what they and our Eastern friends should recommend. the Gent at New York appear to think as we do—and that you may be consulted, I send this unsealed to them.

Further explanation is given in a letter of the Philadelphia committee, to that of New York, quoted in a letter of the latter to the Massachusetts committee:

⁷⁰ Robert G. Harper, one of the delegates in 1812, wrote September 25 of that year, "The meeting resolved not to recommend the support of Mr. Clinton. It was thought best to take a course somewhat different. they resolved that it appeared impracticable to elect and was, therefore, inexpedient to propose, a federal Candidate; and that it should be recommended to the federalists throughout the United States, to exert themselves in the approaching Election of Electors, to procure the choice of such persons, as will be most likely to effect by their votes a change in the present course of public Measures, They then appointed a Committee, to collect and disseminate information on the Subject. The Committee sits in Philadelphia. . . . We do not stand committed to Mr. Clinton. He and his friends must therefore do all in their power to convince us, that he deserves the preference, in other words, that we may expect from him a different course of measures, or else we may drop them and try the effect of submitting four years longer to Madison, in hopes of a complete cure in that time. We may even bring forward a federal Candidate, should any thing occur to warrant the attempt." B. C. Steiner, *James McHenry*, pp. 585-586, confirmed by a letter of October 22, 1812, from another delegate, George Tibbits, to H. G. Otis. It must be remembered that the account of the 1812 convention, in William Sullivan's *Public Men of the Revolution*, p. 350, was written many years later from oral tradition.

⁷¹ The state election, in October.

⁷² Meaning probably the Philadelphia committee which had been formed in June.

We were influenced to this determination by a very general disapprobation expressed by our friends of the Caucus at Washington and what we experienced in our State canvass. Considerate people are convinced that measures must be digested by the few, nevertheless among the mass each is desirous that he should be one of the number. It was therefore judged most advisable that our friends in each State should set on foot their canvass in the way they should deem most eligible.¹³

The frankness of these letters makes comment almost superfluous—but the writer cannot help pointing out how the secret methods of the Federalists are beginning to react upon themselves. When we recall the method by which the Philadelphia committee (which undoubtedly chose the delegates to New York) was formed, by convening “about a dozen” of “our active, firm, and discreet friends”, the “Jealousy” of the outsiders is not surprising.

After quoting the above letter, the New York committee continues:

In consequence of this we have no expectation of any public nomination in Philadelphia and considering it important to be made without delay, we think that Massachusetts is not only entitled to originate the measure, but that coming from that quarter it would produce the greatest sensibility and interest in its favor, particularly in this State. We therefore submit to the consideration of our friends in your State the propriety of immediately proceeding to make the nomination in the manner which shall appear to them the most advantageous and impressive. In this State it will instantly be repeated and supported as far as we are able, and we have no doubt it will be followed by our political friends in every other State. We are satisfied it would not produce so good an effect to commence this business here and there are also local considerations which induce us not to wish to originate the nomination. We can give no certain assurance of supporting it by the vote of this State and if we were to begin this measure it might excite irritation and increase the difficulty of obtaining the aid of either section of the opposite party among us, on which our hopes as to this State at present depend. The latter consideration with us is important and we flatter ourselves you will unite in the opinion that it is most expedient for Massachusetts to begin the nomination, the success of which alone, we think can save our Country from disastrous events.

The Massachusetts committee apparently accepted the responsibility thus thrust upon them. In the *New England Palladium* and the *Repertory* of October 18 appears the formal announcement:

We have the satisfaction to learn, from information collected from every part of the Union, that one common sentiment prevails among the Federalists, with respect to Candidates for the two first offices in the National Government, and that the men selected by the approving voice

¹³ “To the Honble Harrison G. Otis Esquire and the Gentlemen of the Federal Committee in Boston”, October 9, 1808. Signed “Jacob Radcliff

Jos: Ogden Hoffman
Cadwalader D. Colden
S. Jones Junr.”

of the whole *American party*, to preserve the Union, and to prevent a calamitous war, are for President, the Hon. Charles Cotesworth Pinckney, of South Carolina, for Vice President, the Hon. Rufus King, of New York. In *Massachusetts* a formal nomination of these great patriots has been delayed for the sole purpose of collecting the sentiments of the great body of Federalists—the TRUE AMERICANS⁷⁴ in other States. It being now ascertained, that among these their exists but one opinion; *Massachusetts* will obey the dictates of her own inclination, while she conforms to the wishes of her sister States, in supporting the above Candidates; and our friends in these States may rest assured, that the characters of the men and the dangers of the country will ensure unanimity without the aid of any Caucus, or other preliminary.

This deceptive statement was the official announcement of the presidential nomination—two or three weeks only before the choice of electors. The nomination was already generally known, however. On October 12 the *New York Evening Post*, impatient perhaps at the delay, announced it as coming from “several respectable sources”, and the *Charleston Courier* had made it known at least a month before.⁷⁵ It had been noted by the principal Republican newspapers,⁷⁶ but was not copied into Federalist journals until after the publication by the *Evening Post* and the Boston papers.

A description of the campaign of 1808 is beyond the scope of this article. Until the October state elections in New Jersey and Pennsylvania went against them, the Federalists were sanguine of success, but after that their only hope was a forlorn one—of converting the hostile majority in the New York legislature, and of carrying South Carolina. In the latter state the Federalists gave Charles Pinckney the hardest struggle of his political career,⁷⁷ but the Re-

⁷⁴ Robert Troup writes Rufus King, April 11, 1807, “Would not this be a favorable occasion for our party to assume a popular and significant name, free from the hobgoblins attached by many to Federalism?” (King, *Rufus King*, V. 31.) In the election of 1808, the term “Federalist” or even “Federal Republican” was seldom attached to a ticket. Combinations of the terms True American, Anti-Embargo, Free Trade, Washingtonian, Anti-Caucus, were generally used.

⁷⁵ As early as August 19 the *Courier* announces that “General Pinckney will be supported . . . by the *Washington Republicans*, and many moderate Democrats to the Northward and Eastward”. On September 8, “Our worthy fellow citizen and enlightened patriot, Gen. Charles Cotesworth Pinckney, has been nominated, in several of the Northern papers”; October 3, “We are authorized to say that . . . Gen. Charles Cotesworth Pinckney of this state will be supported by the Federal Republicans throughout the several States” (written probably after receipt of the letter from the New York committee).

⁷⁶ *E. g.*, Boston *Independent Chronicle*, September 12; *National Intelligencer*, September 14. John Adams knew of Pinckney's nomination on September 27. *Correspondence between John Adams and William Cunningham*, p. 28.

⁷⁷ Charles Pinckney to Madison, October 12, 1808; to Jefferson, October 23, 1808. Madison and Jefferson MSS., Library of Congress.

publicans secured an overwhelming majority in the legislature, which chose electors. Vermont and Maryland also disappointed the Federalists, and Charles Cotesworth Pinckney secured only 47 electoral votes to Madison's 122. This was a notable increase over the fourteen votes of 1804; it began a brief Federalist Renaissance which lasted until 1815.

The student of this period cannot fail to be impressed by the subordinate rôle which Pinckney's name played in the campaign, even in the last three weeks of it, after his nomination was formally announced. Many of the leading Federalist journals, including the Boston *Columbian Centinel*, never even published the nomination. The casual reader of these newspapers would scarcely know whom the Federalists had chosen for their leader, were it not for the frequent contrast of Pinckney's oft-quoted words, "Millions for defense, and not one cent for tribute", with Madison's "France wants money and must have it". The Republican party, on the contrary, made the record and character of Madison one of their leading issues. This extraordinary neglect of their candidate is probably due to the fact that the Federalists when nominating Pinckney at New York did not altogether give up the idea of swinging over their electoral votes at the eleventh hour if George Clinton developed any unexpected strength. Otis, apparently, threatened to bolt the convention's nomination within two weeks after it was made. Hare writes him, September 6, reiterating the arguments against supporting Clinton, and urging him "not to set things afloat, *unless you can certainly elect Clinton*". An attempt was made by Theophilus Parsons to seduce the Connecticut legislature into the same course.⁷⁸ In Rhode Island, no public announcement of Pinckney's nomination was made;⁷⁹ it was urged in favor of the members of the Federalist electoral ticket that they were "not pledged to vote for any candidate. Those who advocate their election confide it to their Wisdom, and integrity."⁸⁰ The significance of the Rhode Islanders' move is explained by a letter of James B. Mason of Providence,⁸¹ written after the Federalist electors had been chosen, urging that the entire electoral vote be swung over to Clinton, in the hope of choosing him president as the "least of two evils".

Such were the objects, the composition, and the results of this first of national party conventions. Altogether it was an assembly

⁷⁸ Rufus King to Christopher Gore, September 27, 1808. King, *Rufus King*, V. 104.

⁷⁹ Not, at any rate, in the three Federalist newspapers of Providence.

⁸⁰ *An Address to the Citizens of Rhode Island, on the Choice of Electors of President and Vice-President of the United States* (Providence, November, 1808), pp. 13-14. Also in the Providence *Rhode-Island American*, November 17.

⁸¹ To Otis, November 21, 1808.

typical of the Federalist party. A few well-born and congenial gentlemen, who could afford the time and expense of travel, were chosen by their friends to settle in a quiet and leisurely manner the questions that agitated their party. From the body of voters neither authority nor advice was asked, and profound secrecy sheltered the convention's deliberations from vulgar scrutiny. The New York convention of 1808, like all Federalist machinery of the period, was based on the right of the leading men in the party to settle nominations and party business without the slightest co-operation of the people. The voter's advice is not asked, but his implicit obedience is required. He is to vote for candidates nominated he knows not how, because it is thought best by "those who alone from education, fortune, character and principle are entitled to command". Herein lay one of the fundamental principles of the Federalist party, and, in the writer's opinion, the chief cause of its failure. The Federalist machinery failed for the same reason that the entire party failed: it sought to suppress and to curb public opinion rather than to guide and lead it,⁸² and the people preferred "those who are the instruments of their passions" to "those who wou'd controul them". The secret national party convention, representing only the leaders, passed out of existence with the Federalists. It remained for Democratic politicians of the thirties, with improved methods of communication, and fatter campaign chests, to discover that a national convention of delegates, chosen by the body of voters, was the most effective method of nominating a president.

SAMUEL E. MORISON.

⁸² Noah Webster wrote Rufus King, July 6, 1807, "They have attempted to resist the force of a current popular opinion, instead of falling into the current with a view to direct it." King, *Rufus King*, V. 37-38.

LORD ASHBURTON AND THE TREATY OF WASHINGTON

A CLEAR, straightforward narrative of the steps of the treaty of Washington, it is exceedingly difficult to give. Too many disturbing questions were to be disposed of. Certain stipulated points were to be settled, others not stipulated demanded equal consideration, and each point in turn called for a careful examination into earlier events. Thus the study jumps from the negotiation in progress to causes and events of many years earlier, or to an investigation of existing conditions or contemporary events which require a detailed rehearsing. Further, first instructions were followed by others, letters and protests between the Foreign Secretary and his agent crossed each other in transit, while unexpected hindrances developed to hamper the American representative. Nevertheless, it seems worth while to bring forward the new light upon the Ashburton negotiation, with such brevity as shall eliminate the non-essentials and give only proportionate space to the matters engrossing the attention of the agents.

The chief business of the treaty was the determining, to the satisfaction of both countries, a boundary line which for sixty years had been undecided, and for at least twenty years in active dispute. When Lord Ashburton was selected by the British government for this duty, his appointment was hailed both in England and in the United States as especially felicitous. There were indeed those in England who doubted the virility and energy of a man of his advanced years, while in America a truculent democratic press discovered grounds for suspicion in Ashburton's reputation as a financier. In spite, however, of these somewhat feeble criticisms, his selection was considered proof of a genuine desire on the part of England to negotiate upon a sincere and friendly basis. This belief gained still wider credence when Webster, the American secretary of state, stated that Ashburton had come to Washington without instructions and with full powers. It is quite possible that Ashburton, upon his arrival, believed himself to be without instructions, and may have so stated to Webster at Washington in April of 1842. He brought with him from England merely a general outline of the main purposes of the negotiation, drawn up by Aberdeen; to this was appended a "last resort" clause on the northeastern boundary question, deemed so

acceptable to the United States as to make the success of the negotiation seem assured. But some weeks later new and positive instructions, including certain restrictions, were sent from the British Foreign Office—threefold evidence of a more minute consideration, of more exact knowledge, and also of a greater appreciation of the demands of the colonies in America. These later official instructions show clearly Great Britain's desires in the negotiation, and are of especial interest when compared with the ultimate terms of the treaty of Washington of 1842. Very few of the despatches between Aberdeen and Ashburton have as yet appeared in print, and the more important of them are summarized here. They should reveal Ashburton's exact status as a negotiator extraordinary, England's hopes from the treaty, the actual results, and the explanation of the seemingly extraneous matters embedded in the treaty, or appended to it in the form of notes.¹

The northeastern frontier question had made practically no headway since the award of the King of the Netherlands, in 1831, declaring that the terms of the treaty of 1783 were impossible under actual physiographic conditions, and recommending an equitable division of the territory in dispute. This award had been accepted by Great Britain and rejected by the United States. Later, Great Britain withdrew her assent and the boundary question was no more nearly settled than before, but owing to England's consideration and rejection of the Dutch king's terms, became an even more delicate matter. With Palmerston in control of foreign affairs, courteous argument had given place to sharp rejoinder, and Aberdeen certainly felt when he took office in 1841 that the matter constituted a genuine danger in British foreign policy. Another sore point with Americans was the *Caroline* incident during the Canadian rebellion. An American vessel, the *Caroline*, in December, 1837, had been carrying supplies and volunteers from the American side to the rebel camp at Navy Island, on the Canadian side of the Niagara River, just above the falls. On the night of December 29, a body of Canadians seized her while at anchor on the American side, towed her into midstream, and set her on fire and adrift. This was regarded

¹ The official printed sources on the negotiation of the treaty of Washington, with text of the treaty and of notes appended to it, are to be found in *House Ex. Doc. No. 2*, 27 Cong., 3 sess., and in *British Sessional Papers*, 1843, *Commons*, vol. LXI. In addition to these, Ashburton's instructions on the Oregon boundary are in *House Ex. Doc. 1*, pt. 1 (vol. I., pt. 6), p. 218, 42 Cong., 3 sess. (*Berlin Arbitration*, 1872-1873.) Narratives of the negotiation and its results appear in all the larger American histories, while an excellent summary with citation of important printed documents is in Moore's *Digest of International Law*, vol. V. The additional manuscript material used in this article is in the British Public Record Office, under the classification, Foreign Office, America.

by the United States as an invasion of territory and an explanation was demanded, but none was immediately forthcoming from the British government. In the capture of the *Caroline* at least one American had been killed, and when, in November, 1840, a Canadian named McLeod came into New York state and boasted of sharing in the *Caroline* affair, he was arrested and tried for murder. McLeod, it was ultimately proved, had lied and he was accordingly released. The trial, however, had again focused public attention upon the *Caroline* affair, had fanned into flame the suppressed indignation, and this only a few months before Ashburton's arrival. There had been intense public excitement and a real danger of war. The *Caroline* incident could neither be forgotten nor ignored, and though more than four years had passed, the government of the United States still looked for an explanation or an apology. In addition to this grievance was the always vexing assertion by England of the right to search (or, as the English called it, the "right to visit") American vessels. The British claim of a right to "visit", though in practice now wholly confined to suspected slave-traders, aroused indignation in all quarters.

With these points in mind, Aberdeen on February 8, 1842, drew up the instructions which Ashburton carried with him to America, and which for some time he regarded as his only official guide in the negotiation.² Clearly, from the language and content of this document, he was entitled to believe that he had practically a free hand. Aberdeen had merely indicated in general terms the purposes of the mission, specifying them as of importance in the order named, northeastern boundary, Oregon boundary, northwestern boundary, *Caroline* incident, and "right of search". He desired, if possible, to secure a treaty covering all of these points, but both from the instructions and from the accompanying documents it is evident that emphasis was placed upon the northeastern boundary controversy, and it was rather hoped than expected that a settlement would be made of some of the other questions. In regard to the Maine boundary, three solutions were permitted to Ashburton: (a) the whole British claim, (b) a conventional line which would give Great Britain both the upper and lower Madawaska settlements, and preserve to her the whole navigable portion of the river St. John, (c) the line of boundary "contained in the Award of the King of the Netherlands. . . . This line, although highly unfavourable and disadvantageous to our interests, we should not be disposed to reject, with certain modifications as the basis of settlement; but beyond

² F. O., America, 378, no. 2. Merely a brief extract from these instructions, on the right of search, is in the *Br. Sess. Paps.*, 1843, *Commons*, vol. LXI.

this, Her Majesty's Government would not be prepared under any circumstances to concede." The documents do not indicate just what "modifications" of the Netherlands award were desired, nor do they refer to that part of the award which, by departing from the strict terms of the treaty of 1783, permitted the United States to retain possession of Rouse's Point, at the head of Lake Champlain. There was, in reality, no British expectation that the "whole claim" could be secured, and Ashburton was directed to use all his energy to secure the line indicated in the second solution. Unquestionably, however, it was within his power to sign a treaty on the line of the Netherlands award, if forced to do so.

Other topics included in this broad instruction received comparatively little attention at the Foreign Office. The affair of the *Caroline* was included, not because any definite settlement was proposed, but in order to *explain* the incident, and in an indirect way to apologize for it, on the ground of the necessity of self-defense. Aberdeen's purpose in this regard was to eliminate a possible cause of friction dangerous to an equitable conclusion of the northeastern boundary. He did indeed apologize for the delay in expressing to the United States regret for the necessity of the act, and he added, "The violation of the independent jurisdiction of the United States . . . Her Majesty's Gov't regard in a very serious point of view. So far are they from thinking that an event of this kind can be lightly risked, they would rather deprecate its recurrence by every means in their power." Turning to the vexed question of the right of search or visit, Aberdeen apparently felt that there was little hope of a satisfactory solution. The result of much previous diplomatic correspondence had only served to make clear that neither nation would yield her point. Aberdeen denied that Great Britain claimed any "right to search" American vessels, but insisted that the "right to visit" was quite a different matter, and that while English naval officers were instructed to use it with delicacy "the right itself, being manifestly founded on justice and common sense, they [Her Majesty's government] are determined to maintain". In effect, the instructions on this point were mainly a warning to Ashburton not to consider any suggestions of concession by Great Britain. On the other hand, there was apparently no expectation that the United States would give way.³

³ This is in clear contradiction of the statement made by Aberdeen to Everett, when, in explaining the purposes of the Ashburton mission, he stated that he regarded a solution of the right of search difficulty as "the most important of all". Everett to Webster, December 31, 1841. *Br. Sess. Paps.*, 1843, *Commons*, LXI, Correspondence on the Treaty of Washington, p. 15. Either this was a blind, or Aberdeen changed his mind before Ashburton's departure, for certainly at no time during the negotiation did he appear to believe any agreement probable.

Thus Ashburton left England with a comparatively free hand in the essentials of the negotiation. After his departure, it is evident that more serious consideration was given to the boundary question, and particularly to the necessity of preserving the military road connecting Quebec and Halifax. This was no new matter, for direct military communication between Canada and New Brunswick had for many years been insisted upon by military experts and colonial governors. Indeed, in 1828, while preparing the English case to be submitted to the King of the Netherlands, a genuine dispute arose between the experts of the Colonial and Foreign offices on this very point.⁴ The Foreign Office believed the demands of the Colonial Office extreme. It is quite possible that, in 1842, Aberdeen was in similar fashion forced by the Colonial Office to make claims with which he personally had little sympathy. Whatever the cause, whether from colonial or military officials, the new instructions to Ashburton, sent on March 31, 1842, bore directly on the military road. Aberdeen wrote:

MY LORD,

The instructions which Your Lordship has already received will be sufficient for the general direction of your conduct in the negotiation with which you are charged, for the settlement of our various subjects of difference with the Government of the United States. But you have also been apprised that the views of Her Majesty's Govt. respecting the establishment of the North-East Boundary had not been fully and definitely explained; nor those terms especially, clearly laid down, without obtaining which, a rupture of the negotiations would be regarded as preferable to further concession. In order to leave Your Ld no longer in uncertainty upon this subject, I have now the honour to communicate to you the final Instructions of Her Majesty's Govt.

As it is the firm determination of Her Majesty to preserve the dominion of our North American Provinces, it follows that all necessary Precautions must be taken to ensure the success of this resolution. Admitting therefore, the principle of a conventional Line, to be agreed upon by a mutual concession of the extreme claims of both the Parties, there is a limit, beyond which a regard for the safety of these Provinces must forbid us to recede.

The geographical features of the Country appear to offer no natural frontier, or strong line of defence; and the most indispensable condition for the security of our North American Possessions is to be found in a direct and constant communication between Quebec and the Sea at the Port of Halifax, through the Provinces of New Brunswick and Nova

⁴ F. O., Am., 253, "Canning, Douglas, Addington, etc. on N. E. Boundary." This volume is largely devoted to a discussion of documents and arguments to be presented to the arbiter, and exhibits a marked disagreement between experts, both as to the claim to be presented and as to arguments in support of it. Colonial Office papers, unlike the Foreign Office papers, were not open to search after 1830, at the time when the author was working in the Record Office (1908). They have since been opened to 1837.

Scotia, during that period of the year when the St. Lawrence is rendered inaccessible. The line of communication at present runs from Fredericton through the valley of the St. John by the Great Falls, to the Madawaska River. From thence by Lake Temiscouta and Grand Portage to the St. Lawrence.

It is deemed essential that this Line should be preserved.

Her Majesty's Government trust that the information which has recently been obtained by a scientific examination of the disputed Territory, and the Light which has been thrown on the subject by the discovery and production of important documents connected with the negotiations for the peace of 1783, will have produced their effect in the United States. Indeed it is difficult to believe that with the assistance thus afforded, Your Lordship should not be enabled to bring home to the conviction of candid and impartial men a sense of the justice of the claim of Great Britain.

Notwithstanding the reasonableness of this persuasion, H. M. Govt are not ignorant of the pretensions of the United States, or of the manner in which they have been enforced; and having always urged the wisdom and expediency of agreeing to a Conventional Line, to be established upon a principle of mutual concession, they could scarcely now adhere, without any deviation, to the utmost extent of the British Claim put forward under the Treaty of 1783.

Upon this subject you have already received instructions.

It is possible, however, that the Govt of the United States may be determined to revert to the Award of the King of the Netherlands, as the Basis of a Settlement. But it must never be forgotten that this Award was rejected by the United States, and is therefore in no degree whatever binding upon Great Britain. The record of it remains in the Archives of the respective states, and may be referred to as a matter of fact, or in negotiation, but cannot possess any obligatory character. Should you be unable to prevent this determination on the part of the United States, you will at least insist upon taking as a basis the Award pronounced by the King, with the avowed purpose of obtaining that portion of the Territory which is indispensable to our interests, by a cession of such parts as may be made without danger.

The Line laid down by the Royal Arbitrer follows the course of the St. John, as far as the point of junction of that River with the St. Francis. After which, ascending the St. Francis, by a North and Westerly direction, it advances near to the St. Lawrence, and falls into the Line of Boundary claimed by the United States. It thus very materially interferes with the freedom and security of our communications.

The other points submitted to Arbitration, were decided by the King of the Netherlands in favour of the British Govt. The District at the head of Connecticut River was adjudged to Great Britain; as well as a Line of settled Country continued from the head of the Connecticut River along the 45th Parallel of Latitude, until it reaches the St. Lawrence. This Line includes Rous's Point, a very important position on Lake Champlain, which the Govt of the U. States have always shewn a great desire to possess. And although this Point was adjudged by the King of the Netherlands to the U. States, it was so as a matter of compromise, and contrary to the principle of his decision, which recognized the 45th parallel of Latitude as correctly described in the claim of Great Britain.

Now, these latter advantages might safely be ceded, on condition of our obtaining possession of the whole of the Territory between the Upper part of the St. John and the St. Lawrence. That is to say, by making the River St. John from its junction with the St. Francis up to its source in the small Lake of St. John, or the Oostastagomessis of the Indians, the Boundary Line with the United States.

The District thus ceded to us, and now claimed by the United States, would comprise about two millions of Acres, wholly unsettled, and for the most part consisting of Land partaking of the character of a Pine Swamp. But if the Territorial advantages you are enabled to offer on other points of the Line, should not be considered as a just Equivalent for this cession, Her Majesty's Govt would be disposed to indemnify the State of Maine by a pecuniary compensation, to make good the amount of any such deficiency.

From this modification of the Award of the King of the Netherlands, which is considered essential to the security of Canada, H M. Govt would not withhold their assent; But Your Lordship will not consider yourself authorized to entertain the proposition of a settlement upon less favourable terms.⁵

Ashburton reached Washington on April 4, and was soon engaged with Webster in an informal discussion of various matters which it was hoped to incorporate in a treaty. Upon the Maine boundary question it was not at first possible to make much advance, since Maine and Massachusetts were slow in giving Webster authority to act for them. This delay Ashburton regarded as fortunate since it gave opportunity for an amicable and unhurried consideration of other matters. His first reports to Aberdeen were purely perfunctory, and gave no detail. Immediately, however, after receiving the instruction of March 31, Ashburton sent two despatches, both dated April 25.⁶ The first of these, ignoring the new ultimatum from Aberdeen, conveyed a full report of the negotiation to date, was hopeful in tone, and optimistic as to the ultimate conclusion of the mission. The second, acknowledging Aberdeen's advices, was devoted to an analysis of the new instructions, and was distinctly pessimistic. In the first Ashburton asserted that the outlook was favorable to settling *all* of the outstanding points of dispute. The Oregon matter, he thought, could easily be settled, and was really of little importance. "I much doubt whether the Americans will for many years to come make any considerable lodgment on the Pacific." It is not apparent, however, that the Oregon question was at any time under serious consideration in this negotiation.

Another question, that of the *Creole*, though not mentioned in Aberdeen's instructions, was now under discussion by the two diplo-

⁵ F. O., Am., 378, no. 6.

⁶ *Ibid.*, 379, nos. 2 and 3. A brief extract from no. 2, stating the purpose of the joint cruising squadron, is all that was printed in the *Br. Sess. Paps.*, 1843. *Commons*, vol. LXI., Correspondence between Great Britain and the United States, p. 4.

mats, since there was much public excitement about it, and Ashburton felt that it demanded consideration. An American ship, the *Creole*, had sailed from Virginia for Louisiana with a cargo of slaves, but at sea the slaves rose, imprisoned the officers and crew, and took the vessel into the port of Nassau. Here the slaves were given their liberty by British officials. In several previous cases American vessels transporting "domestic" slaves had been driven by stress of weather into British colonial ports, and the slaves freed by colonial officials. In this case "mutiny" was substituted for stress of weather and the slaves compassed their own freedom, without interposition of Providence, depending on the assistance of British colonial officers. The alleged mutiny, a new element in the situation, forced upon Ashburton and Webster a thorough discussion of the relation of British officials and American slave-transfer ships. Subsequently Ashburton expressed to Aberdeen the hope that the British government would concede that in the future ships carrying American slaves should be free from interference in case no slaves had actually set foot on British soil. Security for the future, he wrote, was of more importance to Southern slave owners than compensation for past injuries.

The third matter in these preliminary discussions reported by Ashburton, and in his view by far the most important, was England's insistence upon the right to visit. Yet delicate as the question was, Ashburton was pleasantly confident of greater progress than the home government anticipated, and he counted upon agreeably surprising Aberdeen. Webster had proposed a joint cruising squadron to sail the African coast for the purpose of suppressing the African slave-trade. Though without instructions upon the point, Ashburton was so sure of approval that he had already gone far in the preliminaries of such an arrangement, and wrote that if the plan could be successfully carried out, "I shall consider it to be the very best fruit of this mission". As to the exact relation of this plan to the question of right of search, Ashburton was not explicit.

In the second despatch of this date, however, the prospects seemed far less promising, for Ashburton here turned to the supplementary instructions on the Maine boundary, and professed to find in these a possible, even a probable cause for the failure of the entire negotiation. In the supplementary instructions Aberdeen insisted on the entire territory west of the upper St. John, from the source of that river to the point of its junction with the St. Francis. This was a demand of territory far in excess of the Netherlands award and would have made possible a continuous military road, proceed-

ing from Quebec in a southeasterly direction until it reached the headwaters of the St. John, then following the windings of that river to its entrance into the province of New Brunswick.⁷ The territory thus demanded by Aberdeen was an elongated rectangle, roughly outlined on its longer sides by the upper St. John on the southeast, and by the watershed of the St. Lawrence on the northwest. Ashburton at once recognized in this instruction a new and a serious departure from the plan previously agreed to by Aberdeen. He wrote that it now became necessary "to discuss with Your Lordship the very considerable reduction of the powers previously given to me . . . and to press earnestly upon your consideration whether those limitations . . . are not, if I do not misinterpret them, of a description calculated to expose to failure the whole attempt at negotiation".⁸ He emphasized also the mistake of insisting upon any great modification of the Netherlands award, since for a long time the United States had been most unwilling to accept even the line of that award, and since, also, Great Britain had, at one time at least, acceded to it.

What one should like to have is one thing; but to a compromise there must be two Parties, and our other Party in this case is a jealous, arrogant, democratic Body. You may, it is true, from motives of expediency, refuse to treat; but this Mission in the face of the Publick, implies a readiness to settle differences on terms which reasonable Men shall say are fair and honorable. If I leave this Country throwing all our relations with it into confusion, because I had insisted on a larger portion of this disputed Territory than we had at one period of our Negotiations been willing to accept, and which our Adversary had always refused to give, the consequence could not fail to be that the whole Union would indignantly take part with Maine, and we should pass for a Power having trifled with and insulted the Country.⁹

It is to be remembered that Ashburton, as all his correspondence shows, regarded the Maine boundary as but one of many important questions in negotiation. He now asserted that if the line of the upper St. John were insisted upon, it would wreck the treaty; that the people of the United States were a unit in believing the pretensions of Maine to be just, and in believing also that Great Britain had "set up" a claim, merely to secure a military road. He combated with vigor the influence and arguments of "military experts", whom he believed responsible for Aberdeen's demands. The upper St. John, he argued, was not absolutely essential to a military road.

⁷ The road earlier desired by military experts had crossed the St. John near its source, and then struck directly east across the land south of the St. John toward the nearest point of New Brunswick. Aberdeen, however, evidently considered it useless to attempt to secure any territory south of the St. John.

⁸ Ashburton to Aberdeen, April 25, 1842. F. O., Am., 379, no. 3.

⁹ *Ibid.*

He urged rather that the real danger point for the line of communications was in that section where the road ran close to the lower St. John, from the upper Madawaska settlement to the New Brunswick frontier, and that land secured on the south of the river here would widen the gap between the road and United States territory, and so constitute a much greater security. A concession from the United States at this point, he believed much more feasible than that outlined by Aberdeen, and he urged that he be given permission to make the substitution. This would secure to Great Britain the territory south of the St. John, lying between the Aroostook and Fish rivers, and would be additionally desirable since many British citizens were already settled in the district. But even though Ashburton proposed this counter-plan, he still emphasized the fact that, in the last resort, he must have authority to sign a treaty accepting the Netherlands award, precisely as outlined, or that Great Britain must be prepared to see a renewal of border troubles, with every probability of war as a result.

Fortunately for Ashburton, at the moment when he was thus checked by his new boundary instructions, Webster was experiencing difficulty with the Maine commissioners, and was forced to ask for delay. Pending a resumption of the boundary topic, the *Creole* matter came up for further discussion. Webster, in response to indignant outcries from Southern slave owners, had instructed Everett, the American minister at London, to make a protest, and to ask for security against a repetition of the incident. Everett had not presented the matter previous to Ashburton's departure, but the latter knew from Webster of Everett's instructions, and awaited developments with keen interest. On April 28, Ashburton wrote to Aberdeen that Webster hoped to connect the case of the *Creole* with a general extradition treaty, in which an article should be inserted covering similar cases.¹⁰ Webster's draft article, transmitted by Ashburton, would have compelled British colonial officials not only to abstain from all interference with slave vessels driven by stress of weather into British ports, but went still further in cases of mutiny by slaves, requiring colonial officials to aid the officers and owners to recover possession of their ships. Upon this latter clause Ashburton made no comment, save to express the opinion that some agreement was necessary, if constant friction were to be avoided. Meanwhile Everett, acting upon instructions, had presented the American protest at London. He had received in reply a formal acknowledgment from the Foreign Office, in which the action of the colonial officials in the *Creole* case was commended. Aberdeen's at-

¹⁰ *Ibid.*, no. 5.

titude was distinctly disconcerting. A protest which could call forth neither courteous regrets nor the slightest hint of concession for the future spelled embarrassment at least for the negotiators. When the news reached Washington each felt that the matter constituted a serious menace to the success of their negotiation and it was agreed, as Ashburton reported to Aberdeen on May 12, that "for the present it [Aberdeen's reply to Everett] must not be published here, as it does not suit our present purpose to irritate the Southern people".¹¹

The *Creole* case being of secondary importance to Ashburton, he recurred to the project of a treaty covering the joint questions of right of search and the African slave-trade. The slave-trade treaty, he wrote, "is advancing favourably". He lauded the report made to Webster by two American naval officers, Bell and Paine, upon the feasibility of joint cruising.¹² This report, dated May 10, 1842, is well known, and was printed in the official documents both of the United States and Great Britain, but one portion of it, as given in the original,¹³ which was sent to Aberdeen, is of especial interest in connection with the right of search. Bell and Paine, after narrating the conditions prevailing on the African coast, stated:

We are of opinion that a squadron should be kept on the coast of Africa to co-operate with the British, or other nations interested in stopping the Slave-Trade; and that the most efficient mode would be, for vessels to cruize in couples, one of each nation; (with an understanding that either of the cruisers may examine a suspicious vessel so far as may be necessary to determine her *national* character; while any farther search would be only pursued by the vessel having a right from the law of nations, or from existing treaties).

The words included within the parentheses, in the quotation just given, have a line drawn through them in the original, and are omitted in the report as it finally appeared in print. Ashburton believed them to have been thus cut out by Webster, because they seemed to imply a concession of the "right to visit" for which the British had so long contended. He did not, however, comment upon this, but rather upon the reasonable spirit here manifested by American naval officers, and upon their genuine desire to suppress the slave-trade. Ashburton had been brought, indeed, to a keener realization than prevailed in England, of the sensitiveness of the American public in the matter of the right of search, and of the practical difficulties of American statesmen in so dealing with the question as not to endanger their own political future. In a second despatch of May 12, he informed Aberdeen that the

¹¹ F. O., Am., 379, no. 6.

¹² *Br. Sess. Paps.*, 1843, *Commons*, vol. LXI., Correspondence between Great Britain and the United States, pp. 5-9.

¹³ Ashburton to Aberdeen, no. 6, May 12, 1842. F. O., Am., 379.

American position was due primarily to a fear of the renewal of British impressment, as formerly practised.¹⁴ Webster, in order to popularize the treaty, he argued, needed some British declaration, if not in the treaty itself, at least in the form of a note, that there would be no attempt in the future to impress British seamen from American vessels. He suggested a draft clause of such a declaration, and urged in support of it that Great Britain would never again venture to take seamen from American vessels. The clause read:

that in the event of our being engaged in a war in which the United States shall be neutral, impressment from her Merchant Vessels navigating the *High Seas* will not be practised, provided that provision be made by Law or other competent regulation, that during such War no subject of the Crown be entered into the Merchant Service of America, that shall not have been resident at least five years in the United States.

Ashburton's argument to Aberdeen was that:

Impressment, as a system, is an anomaly hardly bearable by our own people. To the foreigner it is undeniable tyranny, which can only be imposed upon him by force, and submitted to by him so long as that force continues. Our last war, and the perils in which at some periods of that War we were involved, may perhaps have justified violence. America was comparatively weak, and was forced for some years to submit. . . . But the proportions of Power are altered. The population of America has more than doubled since the last War, and that War has given her a Navy which she had not before. A Navy very efficient in proportion to its extent.

Under these circumstances can Impressment ever be repeated? I apprehend nobody in England thinks it can.

In the matter of impressment, as in the case of the *Creole*, Ashburton was of course without instruction, and could enter into discussion with Webster only upon his own responsibility. Nevertheless, informal unofficial discussions continued, and Ashburton evinced no less confidence than he had shown previous to the hampering boundary instructions. Ashburton's protest in that connection had been sent on April 25. The reply of the Foreign Office was prompt. On May 26 Aberdeen wrote that the first desire, and the real need of Great Britain was for the line of the upper St. John, and that Ashburton must try to secure this, in preference to the plan of obtaining land farther down and to the south of the river.¹⁵ But if this first object were unattainable, then Ashburton's plan might be urged; and in the last resort, if the United States would yield neither of these portions of territory, then, only, and

¹⁴ *Ibid.*, no. 7.

¹⁵ *Ibid.*, 378, no. 8.

very reluctantly, Ashburton was given permission to "ascertain" if the Netherlands line, pure and simple, would be satisfactory to the United States. Ashburton had not asked directly for authority to conclude on the basis of the Netherlands line, but his arguments asserted that such a conclusion would be better than no treaty at all. Neither did Aberdeen give specific authority, but the form and manner of his reply to Ashburton indicated that Great Britain probably would not, in the last resort, refuse that line. Indeed, from the time when he received this instruction, the British negotiator felt free to conclude the Maine boundary question as his judgment dictated, provided only that the ultimate boundary line should not give Great Britain less than the Netherlands award. Late in June both Webster and President Tyler feared that Ashburton had been embarrassed by further instructions on the boundary question, and that these, in connection with the stubborn determination of the Maine commissioners, were wearing out his patience.¹⁶ The boundary question, however, caused him no uneasiness. On June 14, he wrote to Aberdeen that America was now ready to accept reasonable terms, adding: "I trust and hope that what we may do, may appear to deserve that character. That this should be so is of much more importance than any advantage to be gained in the details of a bargain."¹⁷ On June 29, after receiving Aberdeen's instruction of May 26, at a time when he was presumed to be discouraged, Ashburton wrote again that he now hoped to secure the line indicated by Aberdeen, namely, that of the upper St. John.¹⁸ In the formal statement of the British contention, presented to Webster on June 21, claim had been laid both to the upper St. John and to the Madawaska settlements south of the lower portion of that river, but it is evident from the correspondence with Aberdeen that Ashburton had no hope of securing the latter territory. The persistent refusal of Maine to consider this proposal, and the vexatious and threatening delays in the negotiation soon led the British agent to withdraw his claim to the lower Madawaska settlement.¹⁹

Such a concession was both reasonable and politic. Relying indeed on the implied permission given to him to sign a treaty based on the Netherlands award, he was at no time later seriously disturbed by the bargaining over boundaries. Indeed, the boundary question, in the light of his elastic instructions, was a far simpler matter to Ashburton than other points in dispute. When, therefore, after much forcing on the part of Webster, Maine was brought to con-

¹⁶ Reeves, *American Diplomacy under Tyler and Polk*, p. 47.

¹⁷ F. O., Am., 379, no. 9.

¹⁸ *Ibid.*, no. 10.

¹⁹ Ashburton to Aberdeen, July 13, 1842. *Ibid.*, 380, no. 13.

sent to a compromise line, Ashburton felt that the solution was wholly satisfactory. The line agreed upon practically divided into equal portions that parallelogram of territory originally regarded by Aberdeen as essential to British military security. It gave the entire line of the St. John to the United States, but it also gave considerably more to Great Britain than had been awarded her by the King of the Netherlands. The boundary followed the St. John up to the point of its junction with the St. Francis, thence ran along that river to Lake Pohenagamook, and at this point departed from any so-called natural boundaries, and struck in a direct line to the southwest source of the St. John. This arrangement, in no way foreshadowed in the correspondence between Aberdeen and Ashburton, made it possible, if desirable, for the military road to cross the "highlands" of the St. Lawrence at some point directly east of Quebec, and thence to run to the northeast, and on the *eastern* side of those highlands, as Aberdeen had apparently wished, rather than on the *western* side, as Ashburton had proposed and the Netherlands award would have required.

Aberdeen's instruction of May 26, on the boundary matter, reached Ashburton at the same time with brief replies, written on June 3, to the questions and suggestions addressed to the British government in regard to impressment, extradition, and the *Creole*.²⁰ It was in relation to these latter subjects that Ashburton was for the moment disquieted. In a short note Aberdeen refused to assent to the proposed abandonment of impressment on the ground that this would be "tantamount to an absolute and entire renunciation of the indefeasible right inherent in the British Crown to command the allegiance and Services of its Subjects, wherever found". In another note of the same date,²¹ he approved the terms of the proposed extradition article, and the list of crimes, except that of "mutiny and revolt on board ship", which was the wording of the clause intended by the negotiators at Washington to cover cases like the *Creole*. The joint-cruising project which Ashburton had reported with such enthusiasm, Aberdeen briefly approved without comment. Ashburton could only feel that the British ministry was either indifferent to the plan of "settling all points in dispute", or else was too exclusively concerned with the boundary to see clearly the bearing and importance of other matters. On June 29, in acknowledgment of the advices from the Foreign Office just referred

²⁰ Aberdeen to Ashburton. *Ibid.*, 378, no. 9. A brief extract, approving the joint-cruising clause, together with an extract from Ashburton's first report on this topic, April 25, was printed in *Br. Sess. Paps.*, 1843, *Commons*, vol. LXI., Correspondence between Great Britain and the United States, p. 4.

²¹ F. O., Am., 378, no. 10.

to, he despatched three communications to Aberdeen. The first of these, already noted, stated that generous boundary concessions by the United States were within view; the second expressed regret at Aberdeen's decision with regard to impressment, but made no further proposal;²² while in the third Ashburton recapitulated the reasons for taking up the questions of extradition and the *Creole*, stating that in America his mission was expected to dispose of *all* the questions of difference between the two nations. He, too, had hoped to meet these expectations and was greatly chagrined to learn the decision of the British cabinet in regard to them. In the case of the *Creole*, he assured Aberdeen that failure to give satisfaction for the future would be a serious disappointment to the American President and Congress, and threatened the successful conclusion of other matters under discussion.²³ The contradiction in language and tone between despatches written on the same date, in one of which Ashburton was extremely confident of boundary advantages, and in another doubtful as to securing any treaty at all, is difficult to explain. Possibly the three despatches, taken together, were intended to convey to Aberdeen an idea of the large advantages in boundary that might have been secured had Ashburton been given a free hand in other matters and certainly his communications of June 29 laid the ground of an excellent defense, on the line of hampering restrictions, in case the entire negotiation came to naught.

The treaty finally included, in addition to boundary matters, articles providing for joint cruising in suppression of the slave-trade, and for extradition. A note by Ashburton, together with one by Webster, covered the case of the *Caroline*, and apology "for the necessity of the act", was expressed on the lines indicated by Aberdeen in his first instructions. Webster's note on impressment presented in elaborate form the American contention against the British assertion of this right, and in reply Ashburton admitted "that some remedy should, if possible, be applied. At all events it must be fairly and honestly attempted."²⁴ This implied a pledge of later negotiation. On the *Creole*, Webster's note asked that Ashburton promise that instructions should be given to colonial officers to safeguard the rights of citizens of the United States. In reply, Ashburton expressed his regret that he had no instructions in the matter, and stated that he might even have ventured

²² F. O., Am., 379, no. 11.

²³ *Ibid.*, no. 12.

²⁴ Ashburton to Webster, August 9, 1842. *Br. Sess. Paps.*, 1843, *Commons*, vol. LXI., Correspondence between Ashburton and Webster, p. 64.

to act without such instructions, "if I had not arrived at the conclusion, after very anxious consideration, that . . . this question had better be treated in London, where it will have a much increased chance of settlement on terms likely to satisfy the interests of the United States".²⁵ On August 9, Ashburton transmitted to Aberdeen this correspondence with Webster, and explained why he had ventured upon it.²⁶ Some official statement upon the *Creole*, he asserted, had become essential to the safety of the treaty. It had proved the most difficult of all the topics with which he had attempted to deal. Webster's note and argument were "mainly calculated to cover his popularity in the South", while his own note "was intended to evade any engagement, while I maintained our general principles with regard to Slavery". "To say something conciliating was indispensable to the safety of our other objects." Ashburton expressed the hope that his vague pledge as to the conduct of colonial officials would not be disavowed, and again insisted that British lawyers must find some way out of this difficulty, or constant friction with the United States would surely result. Two treaties were ultimately agreed upon and signed by the negotiators, the one dealing with the boundary, the other with the topics of joint cruising and extradition. These were transmitted to England for ratification, but the day after they were despatched, it was considered wiser, in view of possible rejection by the Senate, that they be incorporated in one treaty, and this was done.²⁷

The foregoing account of the steps of this negotiation, so far as existing documents can testify, throws much light on the character of Ashburton as a diplomatist. He was despatched to America when relations between the two countries were sufficiently strained to require a conciliating personality and when the demands of the people and of the government were so exacting as to call for a master hand. That he knew American life thoroughly, had many American friends, and a charming American wife, doubtless contributed to his selection, and were important facts in his favor. But they do not explain his sometimes cavalier treatment of his instructions, nor his remarkable readiness to assume responsibility. The very method of procedure, of so informal a nature as to cause Benton to complain that no treaty had ever been presented to the United States Senate with so little evidence as to the steps in the negotiation, appears to have been chosen by Ashburton. These friendly conferences, to which Webster will-

²⁵ Ashburton to Webster, August 7, 1842. *Ibid.*, p. 40.

²⁶ F. O., Am., 379, no. 20.

²⁷ Ashburton to Aberdeen, August 13, 1842. *Ibid.*, 380, no. 23.

ingly assented, took the place of formal negotiations and were carried on without the exchange of written papers, until the time came to cast the final results into shape for presentation. Webster, it is true, has been charged with beguiling Ashburton into the adoption of this plan, but the latter's letters to his chief clearly proclaim Ashburton's responsibility in the matter.²⁸ Also, from the very first Ashburton insisted that discussion of the boundary must not turn on contemporary opinion at the time of the original treaty, 1783, but must merely seek to discuss what was *now* fair and just to both parties. Indeed he not only impressed this verbally upon Webster, but also made it an essential feature of his first formal statement of the British case on June 21, and reiterated it in a private letter to Webster. The guiding principle of the negotiation must be, he wrote, "that the treaty of 1783 was not executable, according to its strict expression, and that the case was therefore one for agreement by compromise".²⁹ He claimed that he himself had much new material, but that he would not produce it, since the one chance of reaching a solution was to avoid technicalities. He was quite consistent in this affirmation. Later despatches show that he frequently prevented the boundary discussions from reverting to an analysis of and deductions from the words of the treaty of 1783.

The assumption of mutual confidence and the intimacy of communication, it has been maintained, placed an obligation upon both representatives to be perfectly open in bringing forward all matters pertinent to the case. In support of this contention, it has also been said that Webster sinned as a gentleman and a diplomat in withholding from Ashburton's knowledge the map found by Jared Sparks in Paris, which accorded with the British claim. On the other hand, there could be no betrayal when each had consented to avoid all technical discussion and all new material. The Sparks map, Webster's weapon to coerce the Senate and to browbeat Maine, is quite apart from the negotiation, as it was, of course, non-existent to Ashburton. Upon this point Ashburton wrote, after returning to England: "The public are very busy with the question whether Webster was bound in honour to damage his own case by telling all. I have put this to the consciences of old diplomatists without getting a satisfactory answer. My own opinion, is that in this respect no reproach can fairly be made." And in another letter a few days later, he wrote, "If I am called upon to

²⁸ Ashburton to Aberdeen, July 13, 1842. F. O. Am., 380, no. 13.

²⁹ Ashburton to Aberdeen, June 29, 1842, enclosing a copy of a letter to Webster of June 21. *Ibid.*, 379, no. 10.

say anything in the Lords, it will be in favour of my collaborator on this point."³⁰

In Ashburton's prompt and emphatic protest against the hampering instruction of March 31, and his freedom at all times in discussing matters upon which he was without instructions, can be seen the exceptionally independent negotiator. His communications clearly show him to be positive, fearless, and tenacious, though at no time actually disobedient to orders, nor often out of sympathy with his chief. Suddenly halted in the boundary discussion, he immediately entered upon the matters of impressment and the *Creole*, both subjects upon which he had no advices whatever. If he really came to deal with "all matters in dispute", he was surely attempting to fulfil his function. Possibly he trusted his protest against supplementary instructions and reasons therefor, to bring him greater liberty of action, and in the outcome he was not disappointed. Ambitious alike to serve the home government acceptably and to be instrumental in the acquisition of all available territory, he made strong efforts to realize Aberdeen's wishes. He was embarrassed by no further instructions, and, as has been shown, he was not unsuccessful. He was chagrined, unquestionably, that no conclusion could be reached in the matters of the *Creole* and impressment, and that these matters could not be included in the treaty. That the failure to accomplish this did not ultimately imperil the treaty is further tribute to the skill of the agent. Though unauthorized to commit his country in any way upon these matters, he yet handled the situation so tactfully that no complaints could be made. The Oregon boundary difficulty, another item omitted, seemed to him remote and the failure to settle it of no immediate importance, yet it proved to be the occasion of the next acute crisis. Ashburton, however, was no more blind to the future in this particular than was Webster himself.

It was not to be expected that a treaty which was in the nature of a compromise would be well received by the people in either country. Viewed fairly however, with allowances for the difficulties of the transaction, the necessity for conciliating the irritated Americans as well as the insistent and long-suffering British, it should be conceded that Lord Ashburton accomplished his mission with distinguished success. In spite of this, the treaty came to be known in England as the "Ashburton capitulation"—a most unjust imputation, for at the same time a jealous American public felt it had equal cause to feel itself defrauded by Webster. Prejudice was to be expected however, for it was quite impossible that there could be

³⁰ Ashburton to Croker, February 7 and February 13, 1843. Croker, *Correspondence and Diaries* (New York, 1884), II. 192.

in England any actual appreciation of the American point of view or of the temper of the American public. Regarding the conclusion of his work, Ashburton wrote:

Upon the defence of my treaty I am very stout and fearless, and they who do not like it may kill the next Hotspur themselves. It is a subject upon which little enthusiasm can be expected. The truth is that our cousin Jonathan is an aggressive, arrogant fellow in his manner. . . . By nearly all our people he is therefore hated, and a treaty of conciliation with such a fellow, however considered by prudence or policy to be necessary, can in no case be very popular with the multitude. Even my own friends and masters who employed me are somewhat afraid of showing too much satisfaction with what they do not hesitate to approve.³¹

He had, he felt, been instrumental in bridging over a dangerous crisis in the relations of the United States and Great Britain and no disturbance seemed likely in the near future.³² He had more than justified his selection and the unusual powers given him. He had proved himself an accomplished diplomatist, courteous, patient, considerate, and above all, just. He had secured for Great Britain considerably more than the minimum of disputed territory she had stipulated for and more than America was prepared to give. The British government had every reason to congratulate itself that it had chosen Lord Ashburton, and, in the end, had trusted to him the negotiation of the northeastern boundary.

EPHRAIM DOUGLASS ADAMS.

³¹ Ashburton to Croker, November 25, 1842. Croker, II, 188.

³² Ashburton to Aberdeen, August 31, 1842. F. O., Am., 380, no. 24.

DOCUMENTS

Journal of William K. Beall, July-August, 1812

THE following journal is the property of Mr. Hugh Knox Miles of Newport, Kentucky, and Cincinnati. The opportunity for its publication, which may be deemed especially appropriate to July, 1912, is afforded us by Rev. Miles W. Smith, of Tarkio, Missouri, nephew of the owner, who copied it for publication and has supplied interesting information regarding it. The journal is contained in a small manuscript volume which descended to Mr. Miles from his mother, Mary Jane Beall (Mrs. Samuel Thomas Miles), daughter of Benjamin Duke Beall and niece of William Kennedy Beall, the writer.

William K. Beall (pron. Bell) and Melinda his wife lived on an extensive estate called Beallmont, on the Ohio River a little above Newport, Kentucky. Beallmont extended along the river about six miles, from near the present site of Brent, Kentucky, up to that of Mentor, and also back from the river some six miles.

Mr. Beall joined Hull's army in the spring of 1812 and was made an assistant quartermaster-general under his friend and neighbor General James Taylor. His early capture, under the circumstances related in his journal and familiar to historians, makes it impossible that the document should be a source of the first importance for the main events of the campaign. Yet it is interesting for many details, such as his glimpses of Tecumtha and his descriptions of the localities, and for the general atmosphere of the mismanaged and disastrous campaign.

One matter reported by the diarist, under date of July 8, would be of much importance if we could suppose him to have been correctly informed. This is the statement of Captain Dewar and Lieutenant Gooding, that in General Hull's trunk (which it will be remembered left his custody on the evening of June 30) they saw a declaration of war, enclosed to the general by the Secretary of War. But it is now known with certainty that Hull received no such announcement till July 2 (see note 15 below). The accusation of treachery in this matter formed the first specification under the first charge (treason) at Hull's court-martial. The evidence disposed of it, and the court exonerated him so far as this charge was concerned.

While it may not be possible to say what Captain Dewar and Lieutenant Gooding saw, it is certain that the three letters, taken from the Americans, which St. George sent to Prevost and which Prevost sent to Lord Liverpool, and which were presumably the most important among those found, contained no information of the sort. They can be identified by the comparison of the *Report on Canadian Archives* for 1893, pages 66, 67, 68, with the *Historical Collections of the Michigan Pioneer and Historical Society*, XXV. 322-323.

On board the Schooner *Thames* lying at anchor off Malden, July 5th 1812.

Instead of a comfortable home, the endearing smiles, and the enlivening converse of those I love, I am now a prisoner, insulated from the world and society, and without one page of literature wherewith to beguile the dull and tedious hours of thralldom. To relieve the *tedium vitae* of my captive days, I shall therefore employ myself in briefly and immethodically registering in the form of a Journal such occurrences as I may wish to preserve from the oblivial hand of forgetfulness.

The North Western army under command of Br. Genl. William Hull, after marching through a wilderness of near Two Hundred miles and encountering innumerable deep swamps, marshes, and heavy rains almost every day, at length arrived at the Miami of the Lakes on the 29th June 1812. The day was clear, and after a long and tedious march through such wearisome swamps, and drinking from brooks that flowed as yellow as saffron, to come suddenly and unexpectedly in view of a transparent river washing the borders of a dry and luxuriant country was a scene which enlivened the countenances of the fatigued soldiers, and created joy and admiration throughout all the army. After marching about one mile down the river the army encamped with perfect regularity three miles above the foot of the rapids, on a broad and verdant beach half a mile wide. On the following day the officers and soldiers agreeable to Orders appeared on parade in full and clean dress and after being mustered and crossing the River in boats, march in good order occasionally to the band, the drums and fifes, through a small town,¹ and encamped two miles below the Rapids on ground not less advantageous than the former. The situation of our department being in the front next the Commdr. in Chief, I could see the whole army on its march. The two front Regiments were uniformed, and those in the rear were too distant to distinguish dress. The army marched in sections, forming a line of near two miles in length, the day was clear and favorable to the appearance of their muskets which reflected the brilliancy of the sun. The light Dragoons elegantly uniformed formed the advance guard. The 4th Regt. U. S. Infantry was in front of Col. Cass's and col. Findlay's Regts., and Col. McArthur brought up the Rear.² The Rifle Companies formed a flank guard, and marching by single file at some distance from each other, extended to the rear on each side the army. The view was grand and inspiring and the Genl. was in fine spirits.

¹ Maumee City.

² The Fourth United States Infantry was under the command of Lieut.-Col. James Miller. Cass's, Findlay's and McArthur's regiments were the Third, Second, and First Ohio Volunteers respectively.

Genl. Taylor the Quarter Mr. Genl.³ was very unwell and that day received dispatches by express from Newport, Kentucky.

Being on constant duty all day, I had not had an opportunity of satisfactorily viewing a country which I thought as beautiful and almost as fertile as any I ever beheld. However I stole time sufficient to ride on the ground where Genl. Wayne defeated the Indians Augt. 1795,⁴ and an old Fort once Occupied by the British. It was called Fort George, and is situated one and a half miles below the rapids on a high and commanding bank of the River, and between the River and the Fort is a high and luxuriant beach two hundred yards wide. Immediately at the bottom of the bank below the fort, there is a fine spring from which the troops in the Fort procured water by a strong and concealed passway under ground. The Country back is level, but not so high by twenty feet as the ground on which the Fort stood, and from decayed appearances it must have been almost impregnable by storm. It is perfectly round, about one Hundred feet in diameter, and is surrounded by numerous strong batteries and deep entrenchments. Inside there appears to have been many apartments underground where they might rest secure from bombs, and where no balls could possibly penetrate. Many of the Indians after Genl. Wayne defeated them retreated to this Fort, which was then garrisoned with British troops, but they were not permitted to enter, knowing that Genl. Wayne in consequence of such protection would besiege the Fort. Indeed Genl. Wayne had long thought they encouraged and assisted the Indians, and sought many pretexts for attacking them but they were careful to give him none. Part of the army happening to march by, the fort sent out to know the cause of their approach and threatening to fire on them if the[y] came nearer. After which Genl. Wayne rode by himself to the spring below the Fort, dipped up water in his hat and drank of it, in hopes they would fire and give him cause of Attack. I have been told by a British officer that one of the Fort would inevitably have killed the Genl. when in that situation had not the commandt. of the Garrison stepped up in time to prevent it.

On the 1st day of July the army marched for Detroit, and although a great quantity of heavy baggage had been left at Fort Findlay,⁵ yet the teams being worn out, in want of forage, and the great number of waggons greatly impeded the progress of the Army. To remedy which by Genl. Hull's order a great quantity of medical and Quarter Master's stores, officers' baggage and all the sick of the Army was left to be transported by water to Detroit. On the same day that the Army marched, a considerable part of the stores and baggage, 3 sick sergeants and 8 sick Rank and file of the militia, one well sergt., 2 sick Do. and 17 Sick Rank and file of the 4th Regt. U. S. Infantry, were put on board the Packet of *Cayahoga*,⁶ a small schooner of 15 or 20 Ton Burthen, Luther Chapin Capt. and master. Having been very unwell during the march of the Army I recd. letters of introduction to Capt. Whistler commanding at Detroit and went on Board as a passenger to take care of the Quarter Master Stores on our arrival. The other passengers were Mrs. Bacon, Mrs. Fuller, Mrs. Gooding, Capt. Sharp of Cass's Regt. who was very

³ Gen. James Taylor of Newport, Kentucky. His testimony is to be found in Hull's *Trial* (1814), pp. 138-144.

⁴ August 20, 1794. The fort was that commonly called Fort Miami.

⁵ A fort built on the line of march by Col. Findlay; now Findlay, Ohio.

⁶ *Cuyahoga*.

ill, George Gooding, 2nd Lt. 4th U. S. Infy. who had charge of the soldiers and baggage of the 4th Regt.,⁷ Lt. Dent who had the care of the baggage of Col. Cass's Regt., Two small boys, and 2 women of the 4th Regt. The crew consisted of Capt. Chapin and three sailors, one of whom was sick. Such was the goodly unprepared and unsuspecting Junto, who unaware of the existence of hostilities between their government and Great Britain; about 2 o'clock A. M. on the first day of that ever memorable month July and in the eventful year of 1812 weighed anchor and slowly floated down the calm surface of the Miami of the Lakes. No command was given to any one of us to my knowledge, we were not cautioned to be on our guard, no preparations were made for defence, nor did we receive any instructions, further than to Sail to Detroit. . . .⁸ a little vessel, which if well armed would not have been able to contend for a passage by the war Vessels and batteries of [sic] at Malden.⁹ Such of the sick as were least unwell were put in an open Boat under charge of Dr. Reynolds,¹⁰ but as there was no wind for the schooner to sail they rowed past us, and we did not see them again. The Miami of the Lakes increases rapidly and in 18 miles from the foot of the Rapids loses itself in Lake Erie. We had no wind and only floated 8 miles before night when Capt. Chapin cast anchor. About Eleven or Twelve O'clock a brisk and fair wind blew up and the schooner sailed, but on entering Lake Erie ran on a shoal and did [not] again get under way until near sunrise. From the mouth of the Miami to Detroit River, is Thirty miles, and having a fair and heavy wind sailed near 9 miles on hour. The swells were very high, the vessel small and all the passengers seasick except myself. I had never been on such an extensive water before. I had never seen such majestic waves, and the vessel in riding them and the novelty of the scene rendered the passage for a while delightful. It was the only occurrence which had enlivened me after my departure from Newport. The object for which the Army was destined, their martial appearance and the turmoil and bustle of the Camp though congenial to my nature and my wishes; (owing to my debilitated state of health and depressed spirits) did not create one cheerful idea. While crossing the Lake I opened the Lady of the Lake, and the beauty of the following lines induced me to memorize them.¹¹

The cabin of the vessel being occupied by the ladies at night I had been compelled to slumber on deck, and I slept so unsoundly that about

⁷ Lient. Gooding's testimony is in Hull's *Trial*, pp. 100-101.

⁸ At this point the following words have been deleted, whether by the author or by some other person, is not known: "I do not here intend to blame the Commandr. in chief; far from it. For as a declaration of War was unknown to him, he did not expect a capture or detainure of the vessel. If he had thought such an event possible, he certainly would not have risked so many persons and so much baggage on board." Gen. Taylor, the quartermaster-general, says in his testimony that he doubted the safety of what was thus sent, especially after he heard that the vessel must go past Malden.

⁹ It appears that the proper name of the township was Malden, that of the fort Amherstburg. See the pamphlet by C. C. James, *Early History of the Town of Amherstburg* (Amherstburg, 1902).

¹⁰ Surgeon's mate James Reynolds. The boat under his charge passed up the more shallow channel at the west side of Bois Blanc Island, and reached Detroit in safety on the afternoon of July 3.

¹¹ Here follow the three stanzas beginning, "The heath this night must be my bed".

8 miles from Fort Malden I fell asleep. I was afterwards awakened¹² and informed that we were near Amherstburgh, and on rising we had just passed the Revenue Cutter which had been expected at the Rapids and which was beating slowly down the River. I was told that she came close by the packet and spoke her but they did not perfectly understand. The view of Amherstburgh, a small town below Fort Malden, though indifferently built, and the adjoining country, appeared beautiful. The green meadows and wheatfields were waving before the wind in a lovely and superior imitation of Lake Erie, and everything appeared to wear the cheering smiles of peace and plenty. As if anxious to assist in depriving us of our liberty Aeolius with heavy wind and Neptune with foaming waves with double impetuosity was urging the vessel toward Fort Malden when we espied a boat which appeared to be crossing from the point of an Island, and which we supposed to be a canoe of Indians. About three fourths of a mile below the Fort the River is separated by three Islands and several very small ones into a number of streams, all of which except one is too shallow and full of shoals to be navigated by any other than Row Boats. The one alluded to is that which runs by Fort Malden and which is deep enough for vessels of any burthen. The boat which we had taken for an Indian canoe on our nearer approach proved to be a long boat with a naval officer and six sailors on Board, who having laid on their oars for a short time made for us, and Capt. Chapin supposing they wished to make only some friendly enquiries did not alter his course. They were armed with cutlasses and heavy pistols belted around them and raising their muskets the officer ordered the main sails to be lowered, which not being done he fired a Pistol in the air. Capt. Chapin began to lower them, but expecting we could get around the Island I requested him to hoist them. He did so but replied impossible. What was to be done, we had no idea of the Commencement of war, the hole was too full of baggage to admit more than 5 or 6 of the sick, the balance, women and all crowded on Deck, the cabin not more than large enough for the women to retreat to, no room to handle or manage the sails, the muskets and cartridge boxes with what few damaged cartridges that were in them, were all stowed away under the baggage in the hole, and the sick and defenceless exposed to the shot of the boat. The *Brigh Hunter*¹³ mounting 14 guns was under way after us, we were too far advanced in the channel to get back, and a long boat with 60 Infantry had put out below us to cut off our retreat, and were making for us. Indeed we were within shot of them, nor did we perceive them until we had passed them. As we passed the long boat, Capt. Rollet¹⁴ the naval officer pointed a pistol at Lt. Gooding who was standing near the helm, and repeated the order, "*douse your mainsails*". Lt. Gooding cried, "I have no command here sir". A shot was then fired directly at us, and I thought like others did, that they aimed at me and the ball passed close to me. Capt. Chapin enquired what he should do. "Do as you please", replied Lt. Gooding, and the mainsails were lowered. The vessel floated till Capt. Rollet and his six men came along side and entered her. I demanded of the Officer his authority for boarding us,

¹² Morning of July 3.

¹³ The *Hunter*, 10 guns, was part of the small British fleet on Lake Erie.

¹⁴ Lieut. Frederic Rolette, who was born at Quebec in 1783, and had fought at the Nile and Trafalgar, was now a lieutenant in the provincial marine, and commanded the *Hunter*.

and he replied that an express had reached Ft. Malden the night before, stating that war was declared, and that the Americans had taken two British vessels on the lakes below.¹⁵

The vessel was steered up to the Dock yard and anchored, a guard sent on Board, and Capt. Duer the Asst. Q. Mr. Genl.¹⁶ took a list of our names, Rank, and the No. of Men. Until Capt. Rollet stated that a declaration of war had taken place I was not positive but that as the Embargo law had not expired, they wished to see Capt. Chapin's clearance, or see if no contraband goods were on board and let her pass on. I did not know but what it was customary to make such examinations in all Ports or that they seeing a vessel loaded with soldiers approaching, and anticipating a declaration of war, did not know but that it was the commencement of an attack, and wished to ascertain. Such and various other conjectures, owing [to] my little knowledge in affairs of this kind, instantly revolved themselves in my mind. And when told that war was declared, although I had contemplated such an event, yet I doubted it; I still expected they were wrong informed and that when Genl. Hull demanded us we would be permitted to go on to Detroit.

Capt Rollet expressed his regret at being compelled by his orders to take us, and Capt. Duer, Capt. Barwis,¹⁷ and other Officers requested us not to consider ourselves as prisoners of war, but only as detained on account of the dispatches which had reached them from Malden. They declared it was a very unpleasant occurrence, hoped that the statement of war might prove incorrect, desired we would make our time as agreeable as possible, that any service they could render us they would with pleasure, and said if their wishes could have been gratified we should have gone by without interruption. They sd. if authentic information reached them that war was not declared we would be released, but if war had been or after our detainure was declared, that we would be considered as prisoners of war. Lt. Gooding expressed a desire to dine on shore, and to put up at a publick house during our stay. Capt. Duer waited on Col. St. George the Comma[n]dant of Fort Malden,¹⁸ and returned with permission for us to do so on our Parole, but said that Col. St. George feared the Indians might injure us and said that the troops were so much engaged, that he could not furnish a guard to protect us at a publick house, and if we went we must do it on our own responsibility. Capt. Duer said the Indians were very much enraged with the Americans, that he thought it unsafe for us to be on shore particularly at night, and advised us to guard against savages who he feared would take our lives if it could be done secretly or in a crowd. He said that the men would be removed to the *Thames* where a guard would be stationed, that he would have the cabins prepared for us, that if we choose to accept them it would be a place of safety where the guard would protect us. He feared that the Indians in a drunken rage at night might enter a publick house and murder us, named an instance of an infuriated Indian stepping up behind a man walking with a British officer and tomhawking him, advised us not to go out in the streets when Indians were walking them unless accompanied by an officer, sd. that if

¹⁵ It will be remembered that Hull did not receive word that war was declared until he was approaching Frenchtown on the evening of July 2. See the story in Lossing, *Field-Book*, p. 258, n.

¹⁶ Lieut. Edward Dewar.

¹⁷ Lieut. Thomas Barwis, of the provincial marine.

¹⁸ Lieut.-Col. Thomas Bligh St. George, inspector of militia.

we went on board the vessel that we would have a parole to go through town, that the guard would set us on shore whenever we desired it, and invited us to his house till accommodations could be prepared at an Inn. These and similar representations from others induced us in the evening to conclude on the *Thames* as our abode for the time being. On our arrival at the wharf great numbers of Indians had collected to see us, some of them laughed and appeared rejoiced at our being taken, others frowned on us with the most savage ferocity. Mr. Gooding pointed out several who after the battle of Tippecanoe, had held a council at Vincennes to make Peace. Some of them also knew him.

At Capt. Duer's we were treated hospitably and politely. His side board was covered with wine, Cider, Ice, biscuit etc. As Mr. Gooding had previously requested he accompanied us to a publick house, after politely expressing his regrets at its being improper to invite us to dine with him. I thanked him for his urbanity, and acknowledged the impropriety of such an invitation. Capt. Duer apologised for the indifference of the Inn, sd. it was the best in town, that he would call in the evening and know our determination as to staying on shore and departed. Mrs. Duer I think an amiable and intelligent woman.

We had a tolerable good dinner at Boyles, and leaving the ladies, under protection of the Landlord, we, unaccompanied by any officer walked down the street through crowds of frowning Indians; yet every white man bowed to us politely. On passing the house of a gentleman who had introduced himself to me soon after we got to Boyles he invited us into his house, where we drank several glasses of wine and were introduced to several gentlemen among whom was Capt. Elliot a Militia officer who appeared friendly and polite.³⁸ Capt. Elliot was born in Maryland of American parents and was a Lieut. in Adams's Army. When disbanded, (like many others) he was displeased with the government, and emigrated to this place where he married and pursued the practice of law. His connections in the U. S. are extensive; he has a brother a Capt. in the new levied Army, another in the Navy and is related to Capt. Hughes of the Peace establishment. He appears to be a loyal subject, and thinks the American government treated him ungenerously, in disbanding him who had done duty for several years on Frontier posts against the Indians, instead of those who had scarcely done garrison duty, and left him and several others to make their way through a wilderness where they had no provisions. A man who renounces his allegiance to his native Country ought to be cautiously trusted by that government in which he becomes a Citizen. The love of country is inherent in our natures and cannot be eradicated by an oath. Though the government may be despised by us, yet the wronged people and the Country will still remain dear to us.

Capt. Duer and Capt. Rollet returned in the evening, and finding we had concluded [to remain] on the *Thames*, accompanied us to the Boat.

Before we left the Packet the muskets were all taken out, our swords were delivered to Capt. Rollet and with mine, (I very reluctantly though not seemingly so) gave up a very elegant [t], gilt cased stiletto.

³⁸ Cap. William Elliot of the Essex militia. He had been appointed a first lieutenant in the Ninth U. S. Infantry in 1799, honorably discharged in 1800, appointed a second lieutenant in the Second U. S. Infantry in 1801, and again honorably discharged in 1802.

We have been allowed our own baggage and eatables, and I hope that even in the event of a war, that the officers will be restored to them. The men have all their clothes etc. given to them, and are indulged with the use of the Deck. They have been visited by a Surgeon and receive good rations of Bread, Porks, peas, rice, and twice a week fresh beef. The British soldiers are not allowed rations of whiskey, and I think it would be policy in our government to give their troops a ration of beans or peas instead of whiskey.

Capt. Sharp puts up at Boyles's as he is too ill to be confined in the Cabin where there is but little fresh air. The Military are very busy. The River is so strongly guarded both night and day above and below, that it is impossible for a vessel of ours to pass. We see men of all ages and sizes in the militia who are all in service. People differ about the number of Indians here, some say 2000 warriors, others that number of men, women and children, and down to 500 which I think most probably correct.

Capt. Duer who has seen service, says that war is by no means desirable even to the soldier, and says he will be sorry if the U. S. and Great. B. are unable to adjust their differences without war, all who have spoken to me on that subject both military and civil, express the same pacific sentiments, and I am confident they would prefer peace, and friendship between the inhabitants of the two nations. Individuals of two nations may have a friendship for each other, but *National* friendship never existed. Interest is the basis of all their connections, and so long as any nation's glory and resources are aided and advanced by another, so long, and no longer, will they be in amity. However the present war if it is declared, cannot advance the interests of either power. The safety of one nation prevents a compliance with all the demands made by the other. But as I ought not to dabble at present in politics I order a *halt*.

On the 3rd July Mrs. Bacon and Mrs. Fuller furnished by Col. St. George with a passport to Sandwich with instructions to Col. Baby²⁰ to have them set across to Detroit by a Flag. They went in a Calash and hired a cart to take theirs and their husbands baggage, the two boys, and one of the women. Walked through town, and was amused in contrasting the signs with those in our Country. Instead of Washington, Green and others might be seen George 3, the Lion, the Crown, the Kings Bake house etc. etc. Dined at Boyles at the sign of the harp of Erin. Clear and warm day.

July 4th. On shore in the forenoon. Eat a good dinner on board the *Thames*, and drank several glasses of good M[a]deira. Heard the cannon fired at Detroit in celebration of that day. Hot and clear day. Arrived two hundred Indian warriors from the Sock²¹ Nation. They are generally the largest and best formed men I ever saw, but as savage and uncultivated in their appearance as any of the aboriginals of North America.

July 5th. Arrived the *Queen Charlotte* a beautiful vessel commanded

²⁰ Probably Col. Francis Baby, of Sandwich, now Windsor, Ontario. His house, near Sandwich, became Hull's headquarters after the passage of the river on July 12. Hatch, *A Chapter in the History of the War of 1812* (Cincinnati, 1872), pp. 28-29.

²¹ Sauk.

by Capt. Hall Commodore of Lake Erie;²² and who, if I may judge from fe[a]tures and his eyes is not only a brave but a humane man. Heard the Revellei of our army at Day Break. They must have encamped at or near Brownstown. Dined on board, went on shore in the evening. An alarm. Women and children ran crying and crowding to the vessels, where people were depositing trunks of their most valuable property. Indians running shouting through the streets. The Cry of to arms^s resounded, and the greatest consternation and dismay seemed to prevail. I cannot picture myself [my sentiments?]. They were not ent[i]rely of a melancholy Cast, though I [felt] sensibly for those on both sides who might loose their lives. I anticipated it as a period to my captivity, for I trusted if our troops had crossed that I should be retaken. Very natural. Wishing to be in a place of safety from the Indians, the Officer of the Day and Boyle, attended us to the *Thames*. Hot and clear. The uproar was occasioned by the Detroit Artillery firing a National Salute of 17 guns to Genl. Hull and the Army. All quiet again.

Monday July 6th, 1812. Col. Cass, and Capt. Hickman son in law to Genl. Hull and Capt. in the 17th U. S. Infantry arrived at Malden with a Flag of Truce, (accompanied by Mr. Patterson in a calash) blindfolded. We were invited to Searly Tavern, Col. St. George's quarters to see them. Col. Cass appeared very glad to see us, smiled, appeared Cheerful, yet sympathised in our Misfortune. Capt. Hickman when introduced to us by Col. Cass, shook us by the hands as feelingly and cordially as if we were his bosom friends. Lt. Pickham of the 4th Regt. who had followed with a Flag to report himself to Col. Cass about his baggage which was taken passed them (they having stopped on the way) and arriving before them was arrested. He did not succeed in his errand. Being released by Col. Cass's influence, he entered the room, but appeared alarmed and backward—appeared as if he knew not whether he dare shake hands with us and appeared distant from some cause which we neither knew or cared for. It appears as if the Officers at Fort Malden had no positive and certain information that war was declared, until Col. Cass came down. He said Genl. Hull recd. it by express the evening after we left him, and that the Genl. said he gave Capt. Chapin Positive orders not to sail by Malden, which Capt. C. has as positively denied. Col. Cass's business down we know not. But it now appears that we are certainly prisoners of War. As it was late Col. Cass staid all night to give us an opportunity of writing to our friends and we returned to the vessel about dark.

I received the following letter from Genl. Taylor which when handed to Col. St. George unsealed he was so polite as to give it me without opening it.²³

After Paying the men I wrote to Genl. Taylor and Melinda, of which the following are Copies.

²² Capt. George B. Hall, just appointed, was in charge of the marine department of the lake till the arrival of Barclay. The *Queen Charlotte*, of 400 tons, 20 guns, was afterward taken by Perry, as were likewise the *Hunter*, the *Lady Prevost*, and the *Detroit*.

²³ The letter is not inserted in the journal.

ON BOARD THE SCHOONER THAMES,
July 6th, 1812.

Dr. Sir,

By Col. Cass I had the honor to receive your favour of this morning together with my appointment and Two Hundred Dollars. I shall forward you duplicate rect. Rolls for the payment of the men amounting to \$82.00 but as it was nearly night when I received your letter, as Col. Cass will return very early in the morning, and as Capt. Sharp puts up at a publick house in Town on account of his illness, I shall not be able to send you his pay and subsistence accounts at present. I shall have all your vouchers which are in my possession ready to send by Col. Cass, and from what Col. St. George intimated this evening I think I shall be permitted to send them. At present there is no possibility of getting the private property returned. We have been allowed our own. Please to instruct your agent at Newport to let Mrs. Beall have what money she may want. I inclose you Fifteen Dollars in Cincinnati Bills useless to me *here*.

So far we have been treated with politeness and have met with every indulgence we could require. The sick are visited by the physicians and some are mending. I enjoy a flow of good spirits which I would have thought impossible in my present situation, and better health than I did on the march. It is now near day, and I have been engaged in writing home and paying the Prisoners all night. I must request yours or Majr. Berrys²⁴ attention to forwarding my letter to Mrs. Beall, and accept my thanks for your intended endeavours to render her time as cheerful and pleasant as possible during my captivity. Remember me to Friends. With every sentiment of regard

I have the honor to be

Very respectfully

Your obdt. Humble Servt.,

W. K. BEALL, Asst. Q. Mr.
North Western Army.²⁵

Genl. Jas. Taylor Q. M. Genl.
N. W. Army
Detroit

Tuesday July 7th. Up all last night. Col. Cass called about sun rise, and received my letters, Genl. Taylor's vouchers after they were examined by Capt. Barwis. I sent Genl. Taylor \$15. in Miami Bank Bills, which were useless to me in Canada. Col. Cass bid us adieu with an expressive look and said he would not forget us. They returned by water accompanied by Capt. Barwis, who has treated us very politely yet jud[g]ing him by the same criterion I did Capt. Hull, viz his phisyonomy, though he is not unlikely man, I should pronounce him brave but tyrannical and inhuman to such as he controuls and dislike. This a mere fancy in which I trust [I] am mistaken. We are much indebted to the urbanity and hospitality of all the officers we have become acquainted with. Walked on shore. In the evening Commodore Hall and capt. Rollet requested our attendance on Board the Packet of *Cayahoga*,

²⁴ A neighbor in Newport, Kentucky.

²⁵ A long letter to the writer's wife, couched in the sentimental style of the day but conveying no additional information to that which is in the journal, is here omitted.

where several officers were. We were permitted to take our affairs out that remained in the schooner, and they appeared desirous that all Private baggage should be sent to their owners at Detroit, but they feared it could not be done with propriety. Some Officers and citizens sd. if Genl. Brock knew of the circumstances he would order it all given up, and us paroled. The stores, Publick and Private, were all numbered, inventoried and stowed away in the Kings ware house. The baggage being wet from the leakage of the vessel, Mr. Gooding took that of 4th Regt. on board the *Thames* to have it dried. The officers in opening and examining the baggage behaved with great *delicacy* and *propriety*.

Wednesday July 8th Warm and clear day. On shore for a few hours. About 100 Indians collected on the wharf and had a long war dance. Sailors of the *Queen Charlotte* gave them three cheers from her rigging, beat their drums and fifes and fired several cannon. They were socks²⁶ and were much pleased with the report of Cannon. I was gratified having never before seen a War dance. They generally take a route through town and dance before peoples doors for which they receive presents whisky etc., as in the U. S.

I have seen the great Tecumseh. He is a very plane man, rather above middle size, stout built, a noble set of features and an admirable eye. He is always accompanied by Six great chiefs, who never go before him. The women and men all fear that in the event of Genl. Hull's crossing and proving successfull, that the Indians being naturally treacherous will turn against them to murder and destroy. Genl. Hull will not receive their service, I think, and if he did he would not suffer them to wrong anyone. Mr. Gooding was on shore this evening and says that Capt. Duer informed him that this morning on Exam[en]ing Genl. Hull's trunk he found in it a declaration of War, enclosed to Genl. H. by the Secretary of War. Is it possible! ! ! Mr. Gooding says he read the declaration! !²⁷—The schooner *Nancy* a merchant vessel owned by Mr. McIntosh is a beautiful and swift sailing vessel. Solomon, Miami, Dolson, Dover, McIntosh, Thames.

Thursday July 9th. On shore for a while as usual. Rain afternoon. Very warm and clear afterwards. Capt. Duer told me what Mr. Gooding last night stated, and observed that Genl. Hull got the declaration by an express that reached him at the foot of the Rapids. True an express did reach the Army there, the evening before we left them.²⁸ Why then did Genl. Hull send a sick and unprepared set of men in the face of the enemy without giving them even a caution? This is an enigma which time only will solve. I trust there is some mistake attending this representation. I must not suspect until I know more.

Justification.

Note. Mr. Gooding saw the declaration on the 7th in the evening and Capt. Duer made the above statement to me on the 8th.

²⁶ Sauks.

²⁷ See the introduction. The names which follow are apparently of vessels owned or seen at Amherstburg.

²⁸ If so, it appears not to have been from Washington.

SCHOONER THAMES,

July 9th, 1812

Commodore Hall's polite tender of an awning for the *Thames* is accepted and I should be glad to have it on Board as soon as may be convenient.

WM. K. BEALL.

Friday July 10th. A clear day and the scorching rays of Phoebus not less powerful than usual. The extreme heat of the sun has hitherto rendered the deck intolerable, and to be confined to the cabin during the day, where not a current of air could reach us, has been very unpleasant. Commodore Hall this morning furnished the vessel with an awning which has completely remedied this as far as relates to the privates, but to us the advantage is only a partial one, the deck being so crowded, and it is not pleasant to be seated among and crowded by them, yet as American soldiers and fellow prisoners they have my respect and sympathy. While writing the above some hardy tars have been engaged in lowering the *Thames* near a quarter of a mile down stream, above the Indian Camp 300 yards. We are quietly anchored under the safe keeping and protection of a Sergt. and six of the Militia. On the 7 Inst. Col. Cass carried favourable accounts to our army of our treatment. Since that our liberties have been daily curtailed. Never was I favored with such unshaken, such exulting fortitude. I never supposed that I could have borne so unfortunate an allotment with so much resignation. I am prepared for the worst of events. Misfortunes are essential to our happiness, they smoothe the rugged path of life, give a zest to the enjoyment of blessings when granted us, and prepare us for the dreary mansions of the grave.

What greatly promotes my cheerfulness is the expect[ta]tion of our gallant little army shortly relieving us from this melancholy situation. We daily anticipate that period with the fondest expectations. How fortunate is it for man that happiness depends on the mind instead of external circumstances. Though I am a Prisoner on board this vessel, my walks on shore formerly limited to an indifferent Inn 60 yds from the bank and now perhaps may be denied that priveledge, yet I am as happy, yes and sleep more soundly, than His britanic majesty, the Prince Regent or any of their Red Allies. I have been anxiously watching the setting of the sun, fondly thinking that my Melinda, agreeable to promise, is viewing the same object with the same melancholy delight, with the same solicitude; and is now reciprocating with fervency and truth my indefinite feelings and wishes. This will prove a comfort and healing balm. That sun which shines on her in the hospitable region of Kentucky, will also warm and revive her William in this frozen zone. Those ve[r]y beams which shines on her will point to me and gild my captive life. Night begins to spread her pitchy mantle over the bosom of the River and my pen must cease. May heaven bless my girl.

Saturday July 11th 1812. As far as relates to locality, this situation is as pleasant as our former one, but in other respects not so much so. There we could procure milk, butter, cherries, and many necessaries, at a high price, without much difficulty, here we cannot. There the *Thames* not being anchored below any vessels, we had as pure water to drink as the River afforded, here we are compelled to drink water that has floated through all the evacuations and filth of the shipping and wharfs.

I am told there are no springs in this country and that well water is no better than River water. That of the River is clear, healthy and not very unpleasantly warm. By filling of Barrels in the evening and keeping it from the sun in the day, and by adding Ice which can be laid in here with great ease and little expense, it would equal any water on the Continent. The cause of our removal I know not. I expect they supposed we saw too much, or conversed with the citizens more than they wished. I never sought opportunities to converse with them, but as much as I could without offending avoided it. They often solicited secret interviews which I would not agree to. However they would occasionally and slyly say "Success to the Americans, and Genl. Hull." "Let us alone and we will take Malden ourselves." etc. and many expressions showing their warmth for us and the Americans and their detestation of the British. Many of our Militia guard express a disposition to be with Genl. Hull as soon as he crosses!

The lakes and Rivers here are not subjected to floods or even the smallest rises after hard rains. They are not navigable more than three and at the most four months in the year, owing to their being closed up with Ice.

Last night the Officer of the day came on board, told us we were no longer permitted to go into town, that our walks were limited to a few yards on beach in front of the vessel, and that officers at 9 o'clock in future would go below deck and there continue during the night. Such were the orders of Col. St. George, and thus have our liberties been gradually curtailed. I have not yet felt a fear on account of the Indians, yet if there was danger to apprehend from them in town, must there not be much more here; anchored as close to shore as 12 or 15 yards, and out of the reach of the protection of any vessel. Are we indebted to Col. St. George for the granting of indulgencies which he supposed through fear of the Indians we would not accept, and when he found that tomahawks, scalping knives and frowning Indians whom he refused to protect us from, did not deter us from going on shore we were removed and confined to more narrow and dangerous limits, for the Indians frequently ridicul[e] and severely threaten us in passing by. I went on shore to day purposely to shew them by walking among them (as they went to and returned from town) that I did not fear them. I have not yet requested any indulgencies, and shall in future make as little use of such as are allowed me as possible. My tongue has never been used to plead for favor, and never will I honor these detainers or takers with humble suit. No rather should my head stoop to the Block or dance upon a bloody pole, than stand uncovered and meekly ask them for a kindness. I hope I am exempt from fear, and I am confident that I am able to bear more than they dare execute.

July 12th Sunday.

In busy life mischances store,
On every mortal man await,
Imprisoned thus, methinks I soar,
Above the reach of envious fate.

Another alarm. Heard that our troops were crossing to Sandwich, that the inhabitants were leaving the town and that all the militia and troops of the British were withdrawn from there last night. Great noise in town all night. Carts loaded going down the beach.

Still flow thy streams thou unrelenting tide
 A finished picture of the smiles of fate
 Still shall thy foaming flood convulsive glide
 A faithful mirror of my wretched state.

Like yonder dancing wave I once could move
 Free, uncontrouled and sing on any theme,
 But one short moment flies, and lo, I rove
 A weary prisoner on the watery scene.

My lass was fair, Oh how surpassing fair,
 I saw I praised I loved the maid divine
 Lo fortune smiled deceitful on my prayer
 And Hymen owned the matchless virgin mine.

Eager she'll look and long for my return
 To taste with rapture the connubial kiss
 And though with like Impatience I burn,
 This prison ship still marrs my wish'd for bliss.

Thus here I still my wretched fate resound,
 Witness ye troubled waves I still am true!
 Thus here I cast my longing eyes around,
 And to My fair one bid a long adieu.

Monday July 13th. On board all day yesterday and to day. Cool weather. At 6 oclock P. M. the *Lady Provost*, mounting 14 guns launched to be rigged as a schooner and commanded by Capt. Barwis. Silence prevailed among them all.

From Com. Hall and Capt. Duer we have received the most gentlemanly politeness, the most friendly and hospitable attention and offers, not mere complimentary civilities but a politeness accompanied with a desire to make us comfortable and happy. Such conduct always springs from an honest social and benevolent heart, from a mind too magnanimous to be cruel. Capt. Rollet also has been attentive and polite, but they are all restrained I am confident by Col. St. George.

The sick since the 7th *Inst.* have been very badly attended to. The surgeon is old feeble and indolent, and Col. St. George not caring whether they die or live will not make him do his duty.

A beautiful and engaging landscape exhibiting a true and impartial view of the liberties and indulgencies granted and extended to us by the Commanding officer at Malden from the 2n day of July.

July 2nd. Requested not to consider ourselves as prisoners of war, to walk and amuse ourselves any where in town and to board in town on parole. (Note. See the conditions page — on which this was granted us.) On board a vessel through the deck of which the water runs in streams when it rains.

July 3rd. Requested not to go to the batteries of the Fort.—*Note.* Col. Cass left Fort Malden on the morning of the 7th with accounts of our good treatment. Now mark the difference.

July 7th. Ordered not to go nearer the Fort than Boyles. Permission to go through town below.

July 8th. Limited to Boyles House.

July 9th. Lt. Dent seeing several boats manned and armed and putting out, asked what it was for? For which piece of *impertinence*, the officer to which he directed this innocent yet improper enquiry, requested him to go to Boyles or on Board the *Thames*.

July 10th. Orders not to go into town again, but to walk a few yds up and down stream in front of the vessel, and that all would go below deck at Tattoo and there remain during the night.

July 11. Orders to speak to no one on shore.

July 12. to hail no one passing.

July 13. Not to go on shore again.

Our officers of the day have all been Militia. Some are clever and friendly. Some unable to call the Roll of Prisoners because they could not read.

There are not any water Mills in this part of Canada, but several wind Mills, one on the River below town. This place would be a profitable one for a good steam mill. There are several water Mills on the Rivers Thames and French above here, the nearest of which is Sixty Miles distant from Malden. This evening the order not to go on shore countermanded.

Tuesday July 14th. Any person emigrating to this province, has if he wishes 200 acres of land granted or given to him and his heirs in fee simple by the King, provided he takes the oath of allegiance. The Taxes are by no means oppressive. They are not so heavy as they are in the U States. Capt Martin the Owner of this vessel, who owns several others, has a fine farm 300 acres of first rate land, large stock etc. told me he paid last year only one Dollar and $6\frac{1}{4}$ cents tax. The present year the same, but it was collected two weeks after it was assessed. The inhabitants are taxed sufficient to pay the salaries only of such as are by them elected and put into office; such as the assembly, justices of the peace who are constituted by the Assembly, and some judiciary officers etc. But all the Chief Justices, governors, the naval and military department, half pay officers, Indian agents and all who receive their appointment by the King are paid from England. People dare not speak disrespectfully of the King, the government and its officers. *Nor dare they* say the King is dead for 12 months after his decease. The people have every chance to live well here in time of Peace. The land is fertile and markets good; but in war it is different. Old and young are all pressed into the Militia and their farms, grain etc. is going to destruction for want of attendance and reaping.

The British have treated their provinces well to induce people to settle in them, but as soon as they become populous and wealthy they would then oppress them with burdensome taxes. On board —

July 15. Wednesday. Notwithstanding the many advantages this country has possessed, the Canadian French are miserably poor. I am told they are very lazy and starve half the year. They appear to be peripatetic philosophers who tax providence with a livelihood, and like Diogenes enjoy a free and unincumbered estate in sun shine. They look less military than any men I ever saw—small and ugly as the Devil. They are usually dressed in garments suitable to their fortune; being curiously fringed and fangled with the hand of time, and are helmeted with old fragments of hats which have acquired the forms of sugar loaves, and so far do they carry their contempt for the adventitious distinction of dress, that some appear like Indians, and I have seen

many, the remnant of whose shirts, but partially covered their tawny backs, and dangled like a pocket-handkerchief out of breeches which were never washed but by the bountiful showers of heaven.

Thursday 16th. July. Not on shore yesterday nor to day. No officers except those on duty have visited us since we were removed. Capt. Brown of the 4th U. S. Infy came to Fort Malden with a flag of Truce but did not see any of us. Capt. Brown brought letters from Genl. Taylor and Majr. Berry, which Capt. Duer sent me at night and stated that he was going up with a flag in the morning and would convey me answers.

[*Blank pages for letters which were never inserted.*]

From Genl. Taylor's letter he expected Capt. Brown would see me. To abuse still more the power which the British have over our *bodies*, they have taken a Boy who was a sailor on board the *Thames* and who procured us all the necessaries we have had, and confined him on shore; so that I expect we must now eat John Bull's pork and Bread or starve. What our next treatment will be I can only anticipate. We have every reason to look for much worse, and I hope I shall bear it with becoming fortitude.

"All places that the eye of Heaven visits
Are to the wise man ports and happy havens."

Shaks.

This is a most happy and conciliatory sentiment, worthy of a place in every breast; a fine shield against discontent, and a most excellent balm for minds under adverse circumstances. Answered Genl. Taylor's letters and have them ready to send. Unable to see the Commanding officer or know anything about his Papers mentioned in his letter as being in his trunk. From Genl. T's letter our army are at Sandwich,²⁹ and I hope shortly to see them at Malden. We shall take the guards' arms away, and meet them at the Fort to share the glory. We could now confine our guard, but the river and shores are so closely guarded that we could not escape.

Rain poured through the deck into the cabin which is very unpleasant in all weathers. We are confined by special order to the vessel and not allowed to go on shore, which was useless as I have not been on shore for some time, nor intended doing so till I could do it on more liberal and officer like terms.

Friday July 17th. Up all night preparing papers and letters to Genl. Taylor, Berry, and my beloved Melinda. But Capt. Duer has not called. Heard that our troops encamped last night within six miles of town. Most glorious news. We hear many unfounded reports yet I think this very probable, for women and carts of property were passing down the road without much intermission all night. No Indians seen going to town this morning except squaws. A squaw sd. to be in the keeping of a surgeon frequently passes us. She is handsome, and dressed in Indian Style, but as richly and as magnificently as an empress. Heard the war hoop and yells of the Indians all night. About 5 or 6 o'clock this evening a number of Indians armed as if returning from an expedition, passed the vessel, one [of] whom sd. that a Yankee had gone home. They fired off all their guns above and below the vessel but not so as to touch it. Shortly after, Col. McKee an American by birth,³⁰ at the head

²⁹ Hull had crossed over to Sandwich on July 12.

³⁰ Apparently Capt. Thomas McKee, superintendent of the Indian Department of Upper Canada.

of about fifty naked Indians, himself dressed in *aboriginal style*, halted opposite to us, and hoisting a fresh scalp, stretched on a bough and fastened on a long small pole, shook it at us with the most savage acclamations of exulting joy. It is impossible to describe my feelings on beholding the bloody scalp of a brother soldier, or to refrain from execrating such ungenerous conduct. Regardless of life I abused Col. McKee as long as he remained, (and a number of officers who had come up; when he had gone.) I vented all the rage created by my wounded feelings on them for suffering it, and foolishly abused the King and all the officers of the British government indiscriminately. One of them cried out "Worse than treason", and walked off saying he would report me to Col. St. George. I replied that I was prepared to undergo any punishment they dare inflict, or that their tyranny might suggest.

It was a sight calculated to arouse the most indignant feelings, which would have chilled the frigid blood of a Laplander, which would have crimsoned the tawny cheek of an unrelenting Turk; and which I suppose would have awakened even in the unfeeling bosoms of the most ferocious savages, sentiments of horror, resentment and disgust.

The greatest virtue of a soldier is to diffuse happiness to his prisoners and if possible to make them comfortable; but it appears as if Col. St. George and others here endeavour to multiply misery. It is the character of none but the father of iniquity and those who obey him to rejoice at the distress their inhumanity occasions. They should recollect that everyone can feel the thrill of pleasure and the pangs of pain; and they ought, therefore upon principles not only of speculative philosophy, but of common humanity, to avoid the infliction of every [un]necessary disaster. There is nothing which shews so much dastardy of spirit as taking a diabolic satisfaction in the oppression of weakness: in directing barbarity and insults against those who have not the power to redress themselves, and who are compell'd resignedly to bear their cruelty and insults. All are willing to pronounce aloud the baseness of the wretch, who would abuse the old for the mere exercise of his strength; and kindle into rage at the injuries they receive themselves; and yet many of them are far from "doing unto others as they would have others do unto them." What is the man who in the pride of power, insults and oppresses such as have neither the power to conquer or resist him? A stain to the name of a soldier, a disgrace to manhood and a blush to humanity. Such a man is Col. St. George, who would behold the last gasp or groan bursting from an expiring and defenceless being, without the discomposure of a feature or a muscle.

With what different pleasure is the tender heart affected, and how differently does the amiable the noble soldier conduct himself. Judging others by himself he knows they are not insensible to pain or insult.

Rained hard, our the cabin flooded as usual.

Saturday July 18th. The sick are badly attended to. Doctor Davis's fault no doubt. The officer of the day to whom we have complained of the Doctor's inattention, and who reports him to Col. St. George, says that he believes that the Col. tells the Dr. publicly to visit them often, and privately orders him not.

Capt. Duer has been friendly in sending us vegetables, and Col. Caldwell has sent us mutton, fruit, milk etc. frequently. Rain. Pleasant.

Sunday July 19th. An alarm—Cold day—Slight rains.

I have been unwell for several day and took medicine but my illness increases. I have high fevers etc. Some Indians after dark passing the vessel fired on it, several balls struck the Rigging, and one passed close by my left ear. We are all kept below after Tattoo, and are not permitted at any time to go up the shrouds of the vessel.

The French Horn is winded here for Tattoo. Its sounds are melancholy and more pleasing than the most sublime music; and what renders its sounds still more agreeable is that it brings forth and notifies me of a period when rolled in my blanket I enjoy a shore respite from the cares of the day.

In my sleep the air drawn figure of my Melinda often rises to my view; beauteous as an angel, gentle as the spring, smiling on me with enchanting tenderness and yealding to my fond embrace. In dreams, with rapturous fondness, I have pressed her to my bosom, felt her soft touch, heard the sweet accents of her voice, and gazed upon her lovely countenance till every sense was lost in extacy and love.

An Original Fragment.

In the wilds of Canada and on the margin of Lake Erie, where bending willows formed a rude alcove, Edwin the friend of misery and Love, stood pensively leaning on a rugged rock and thus expressed himself "O my Ellen, when I reflect on the distance I am from you and the improbability of my return, I am lost in an overwhelming sea of misery. Your cruel and unmerited misfortunes called up the tenderest emotions of my heart, and strengthened my wishes to become [the] enviable partner of your griefs and joys. My wished were gratified and but a few short days of joy rolled over our heads, when, events compelled a short as we then thought, but I fear a long separ[a]tion.

But ne'er shall absence, time or pride,
Unloose the knot that love has tied!
No! let the Eagle change his plume,
The leaf its hue, the flower its bloom,
But ties around this heart are spun,
Which cannot, will not, be undone.

Monday July 20. Capt. Barwis came this morning and towed the *Thames* up to the lower end of the Dock yd. a place of more safety from Indians. How[ev]er two of them stopped this evening, came as near as they could and taking rest behind a pile of stone fired at us, but were rather far to shoot with accuracy, their guns firing like shot guns and not much better. An Indian passed us last night and shaking an American musket [at] us sd. Chomokoman. He had his own on his shoulder. Capt. Barwis say[s] the troops have a skirmish each day and that 500 Americans troops were [with]in 2 miles of Malden yesterday.²¹ He says several of our troops are killed and one british regular killed and another wounded and taken.

Tuesday July 21st. Soon after I was taken, I conversed with a man named Hazlet, who says he aided the Indians at the Battle of the Blue Licks (by order of the British) where so many brave Kentuckians were decoyed and butchered. He says that 600 Indians were there and that the whites killed many and fought uncommonly brave and resolute, and that they at one time drove the Indians. He says that the British em-

²¹ On the occasion of McArthur's skirmish at the Rivière aux Canards.

ployed many others in the Indian wars and have since given them officer's or Captain's half pay. He missed his half pay by not applying, but now draws full pay and commands a company of Indians. I am told he frequently boasts of the men and women he has scalped and how he has taken children by the heels and knocked their brains out against trees. Capt. Sharp who was ill at Boyles, wanted some beer, Hazlet had been very attentive and friendly to him, and offered to get it. Capt. Sharp gave him a dollar to do so, but was never afterwards visited by him. People here say that Simon Girty was *beneficial* to Americans prisoners during the Indian wars; that he often gave all he had to get them their liberty and frequently risked his life to save them from the Indians inhuman tortures, and that there are many Americans in Canada to attest the truth of it. Rained through deck so as to keep us up nearly all last night. I grow very impatient for the arrival of our army. Each day I sit on deck and look out for signs of their approach. And when an alarm occurs which is frequently the case, I am not a little rejoiced. Capt. Hazlet was passing the *Thames* and I asked him if—[*unfinished*]

The officer [*manuscript torn*] carried the above returned with a polite invitation to go to Capt. Duers and with permission to make the examination. I could not find the chest in the King's ware house but I found the portmanteau. Not a paper or letter was in it, and the clothes being wet and damaged I took it on board to have them washed and dried. Capt. Duer had taken all the papers out of the trunk and after having examined them had thrown them promiscuously into a large Trunk. He requested me to call tomorrow and examine them for Genl. Taylor's papers, but sd. he knew nothing of the Trunk. He sd. that some trunks on opening them in the Packet being wet and there appearing to be nothing of much value in them were thrown overboard, and he thought Genl. Taylor's was one of them. I recollect that when the trunks were opened and removed, that Capt. D. observed when they came to Genl. Taylor's and Genl. Hull's that as he expected they contained papers relating to his department, that he would take them unopened to his office and examine them.²² Rained Hard. Cabin very wet. Cold.

The officer of the day stated to us that a sick *private* wanted some articles belonging to him, and Col. St. George sd. that if we would state that they were his he should have them.

July 22nd. 1812. The American officers on board the *Thames* are of the opinion that the box of tongues and a spider applied for by Henry Waring belong to him, no such articles being put specially under our care.

WM. K. BEALL Asst. Qr. M Gl.

N. W. army.

Col. St. George.

Thursday 23rd July. Very Cold. As Capt. Duer yesterday requested I went to his house and examined all the papers for Genl. Taylor's but

²² St. George writes to Hull, July 16, "With respect to the papers taken in the Schooner, they have upon examination, almost without exception, proved to be public documents, the few of a private nature that may be amongst them, it would cause considerable trouble to select, more indeed than the officer whom I have entrusted with the examination can at present spare." *Michigan Pioneer and Historical Collections*, XXV. 319. But see the next day's entries.

could not find them. Sought again for his trunk unsuccessfully. I saw it in the Packet and suggested that it was left in the Packet. Capt. Duer says not. It is sunk and we cannot look. Capt. Duer said I might take out any private papers and commissions belonging to officers and keep them from them. I took them out but being too lumber some to put in my trunk I put them up in a Box, which Capt. D. sealed and said he would send by the first flag to Sandwich. I took out such as belonged to Captains Cook, Brown, Snelling, Burton, and Baine Deed. Lieuts. Peters, Peckham, Hawkins and Hill deed. and many others. I think they will get them as Capt. Duer has pledged himself to send them.

Fort Malden is very weak. When we arrived there were about 5 or 700 Indians most of whom as soon as they got their presents and arms fearing the superior force of the Americans went off, leaving about 300. There were not more than 250 or 300 Militia one half of whom have deserted and they have not more than 100 Regulars, making a force in all of not more than 600 in all. They have been unable to relieve our guard frequently for 48 hours and sometimes more. Col. St. George has been obliged to leave off repairing the Fort for want of men. Fronting the River and the road leading to the River Conor, there are 5 or 6 decayed batteries mounting each a 4 or 6 pounder. At other places there are no pickets, and the Fort is only surrounded by a small entrenchment 4 feet deep and 4 feet wide, and the clay that was dug out of it is thrown up on the inside of it. At one leap I could get into the fort.³³ Cold day.

Friday 26th July. Went on shore to make further examination for Genl. Taylor's papers but was unsuccessful. Not permitted to go through town. Returned in half an hour. Capt. Duer says our militia will not fight. That 300 were routed by 30 Indians when they could have surrounded them. That a large party was defeated at the Bridge,³⁴ that they dropped about 30 muskets and knapsacks and that if the British had pursued them they could have taken a field piece and ammunition wagon. He showed me a U. S. Rifle which he says a man emptied at him at the distance of 30 steps, the ball cut his locks—he charged on the man who ran and left his gun. etc. etc.

The British officers and soldiers begin to laugh at Hull Seeing that he sends his men out skirmishing to the bridge and does not take possession of it and keep it, or come to Malden. He is now the object of their jest and ridicule instead of being as he was formerly their terror and greatest fear. Cold morning. Hard Thunder and some rain.

Saturday 25th July. Pleasant Day. Heard the dead march beat through town. The Officers here justify General [Hull] very warmly in sending us by Malden without letting us know that war was declared. They say if he had made it known, some of his men or Indian guides would have deserted and informed them of it, that the Indians would have defeated him in the black swamp and they would have taken

³³ Opinions respecting the strength of the fort differ somewhat in details. *Michigan Pioneer and Historical Collections*, XV. 99, XXV. 323; Hull's *Trial*, p. 19. There is a map of it, from the Colonial Office Papers in London, in *Mich. Hist. Coll.*, XXV. 235. Richardson, who was an Amherstburg boy, and was at this time attached to the 41st regiment, says, "The fort of Amherstburg could not have sustained a siege of any duration. Quadrangular in its form, four bastions alone flanked a dry ditch, offering little obstacle to a determined enemy. This passed, a single line of picketing, perforated with loop holes for musketry, and supported by a slight breast work, remained to be carried." *War of 1812*, ed. 1902, p. 20.

³⁴ Affair at Turkey Creek Bridge, July 25.

Detroit before he could have reached [it]. They say he was right in not telling us to be ready to defend ourselves, because the army would have suspected that war was declared and the rumour would have reached them. That the Genl. supposed they did not expect a war and that we would go quietly by Malden. And many other reasons equally futile, and useless to mention.

Sunday 26th July. A neutral Indian, a Wyandot, supposed to be Genl. Hull's spy was taken here yesterday and last [night] was put cruelly to death by the Indians. Heard their savage yells when torturing him.

An Indian in a Canoe late last night came along side, and asked for whisky. He had a dead man in his canoe and sd. chomokomon killed him, or that he was a dead chomocomon. I expected it was one of our fallen heroes and was descending into the canoe to ascertain, but the guard compelled me to come back.

To day an Indian was buried with all the honors of war by a subaltern and 25 Regulars. He was killed in the engagement (they say) with Majr. Denny and another was wounded.

About daylight Col. Proctor arrived in a bark canoe with 4 or 5 Indians and as ma[n]y Canadians to work the Boat. He commands the 41st Regt. Infy. A private of Capt. Ulry's Company³⁵ was wounded in the leg by one of his fellow soldiers in crossing a creek when Majr. Denny was defeated. He is now in the guard house on shore. He states that an Indian was killed and s[c]alped by the Americans during the skirmish. The Indians had been ordered not to scalp (for they knew they would scalp British soldiers and pass them for Americans) but to take care of prisoners and bring them to the Fort. They accordingly took this man and delivered him to the British below the river Conor,³⁶ but treated him very roughly, tied him neck and hands, and made him march, wounded and bleeding as he was, and beat his back into a jelly with their ramrods to make him march faster. They had no sooner delivered him to the Officers than a squaw came running up, who said the yankees had scalped her brother and demanded his which being refused she, *overlooking all opposition* beat him with her fist. I am told that one squaw always goes into a battle and fights as a man, and is denominated the War Squaw. The Indians, collected to enforce the squaw's wish, and the officers hurried him in a cart to the fort where they followed. Col. St. George gave them 100 pounds to save the lives of him and a man taken by the Crew of the *Charlotte*. They soon returned in a fresh rage, rushed into the guard room armed, offered back the purchase and demanded the Prisoners to torture. It was at the risk of Capt. Duer's life so says the man that he saved his and his fellow prisoners. He had the Indians enticed out with whisky, and kept removing them from one room to another, till he go[t] them secretly after night brought to the prison where they now are and the Indians know not where they are. He is badly wounded but feels pretty well *considering*.

We drank after night many toasts of which the following are a part. [Not given.]

Monday July 27th. Pleasant day. Another Indian honored with a military burial. A private of Col. McArthur's Regt. put on board the *Thames* this evening who states that he left the Army on Saturday evening under Majr. Denny, that he stop'd in the night and being unable

³⁵ Capt. Henry Ulery of the Second Ohio.

³⁶ Rivière aux Canards.

to overtake the troops got lost. He states that he was chased and fired on by a number of Indians about day light, and happening to run to the River Detroit he saw a boat landing from the *Queen Charlotte* to learn the cause of the firing. He ran to the boat for protection from the Indians was taken Prisoner and sent to Malden, where the Indians claimed him as their Prisoner. He says the Americans have not lost a m[an b]y the enemy and only one wounded except the one now in the prison, which proves the great reports of the British about killing, wounding and defeating our troops to be false. They report those things to encourage the few that remains with [them] to prove loyal, and endeavour by many and innumerable false means to prevent the desertions of Militia, such as stating that Canada will never be resigned by the British, that America cannot conquer it, That she will waste her means and distress her citizens to support the war, and that internal commotions will compel her to make peace. That the Canadians will be butchered, their houses plundered and lands taken from them by the Americans if successful. etc.

Indeed they depend more upon party divisions and disturbances among our people than they do on their own strength. The British Officers say that nothing is more easy than the conquest of all Canada, yet they must and will resist as long as they can in hopes that popular clamour will cry down the war. etc.

I have learnt the cause of our little messengers confinement. Butter being scarce at Amherstburgh Capt. Martin permitted him to go to his farm about 12 miles above on the River to get some for us, and notwithstanding for some days previous the guard examined all that went in and out the vessel, he was confined under suspici[on] of having carried letters to the Army at Sandwich for us. I am told he is sick and have sent him a dollar. His situation is painful to me. He was kind and obliging to us but as loyal a subject of John Bull's as ever handled rigging. Our landlord Boyle was a deserter from Waynes army, and I am sure a true subject; but being friendly to us, was suspended from being Sergt. Majr. of Militia and eventually put in the ranks. He is a Hibernian. Such is their fear and jealousies that they dare not trust themselves scarcely, and suspicion is enough to destroy there best friends.

Tuesday 28th July. A Blank in my Register.

Wednesday 29th July. About seven oclock heard a heavy fire of Artillery and musquetry in the direction of Browns Town, which lasted near an hour and a half. 4 Boats with 25 regulars each went out as a reinforcement, and many canoes loaded with Indians. At that time there could not have been more than 60 men in the Fort. The firing caused the *Queen* to sail down near the Fort. The cause of the firing I am told was this. Mr. Greely surveyor of Mischigan and some others from Washington City were endeavouring to pass up to Detroit behind the Islands in a boat, and were attacked by one of the British gun Boats guarding that pass. They landed and defended the Boat from shore, assisted by two companies of Militia. None killed on any side. While the whites were contending, the Indian Canoes took the boat a prize. In it were found many handsome boots, cloaks, clothing etc. all of which the Indians sold for mere trifles. Two Barrels of which they knocked the [heads] out of and drank, a Barrel of Rosin and several Barrels of Flour, which they being drunk disputed about the division of, and to quell the disturbance they rolled them into the River. They took the

deeds of all the people of the Territory of Michigan, many Private valuable Papers, dispatches to Genl. Hull, and upwards of \$3000 in Bills. So they Say. I have heard of several of Genl. Hull's expresses being killed by the Indians and the papers brought in.

I can scarcely think that Genl. H. will be defeated but appearances justify such a belief. I am confident that he will not take Malden though 300 men could do it. Why does he send his troops out reconnoitering gradually weakening his Army without any object in view? Why does he not by taking Malden, silence and drive the Indians away who infest the Country and secure a safe communication with the States, and safety to our Frontiers? Heaven only knows. I for a Harrison, a Daviess or a Wells.

Thursday July 30th. The River Detroit runs a South cours[e] into the Lake and as far into the Lake as the sight can extend the eye meet with no interruption. The breeze that enters the Cabin Windows blows my candle so that I can scarcely see to write. The officers here tell us lately that we were fortunate for us that we did not reach Detroit etc. When we say not—They reply that we will soon be convinced that our situation is better than if we were with Genl. Hull. They say that in a few days they will compel him to leave their shores if he had three times the number of troops that he has, with a confidence that awakens my Suspicions. The American troops at Detroit and Sandwich can certainly conquer this part of the Province, and they formerly said so. They get all Genl. Hull's dispatches, know everything that happens in our army, and say that Genl. Hull is continually sending for reinforcements, and provisions, and writing to the government how deplorably he is situated. These statements come from Officers who are at the head of Affairs here, and I begin to anticipate with Pain and fear the fate of an Army that is brave and large enough to subdue All that part of Canada which lies above Niagara.

The prisoner put on board the other day Says the Army are preparing to come to Malden and they expect to be down in five days. This has created a hope which I hope will soon be realized. How then can I see a man in whose skill I never had confidence, but whose Integrity I never doubted till lately. I shall rejoice to find my suspicions incorrect. I have not communicated them to any one.

The vessel we are in is very unpleasant and is increasing by the men remaining in it. The cabins are leaky and confined, and at night I am compelled to respire the unhealthy and nauseous vapours arising not only from the decayed and moulded timbers of the vessel, but also from the Prisoners in the hold, without anyone to procure necessaries from on shore, but some of the guard who are Canadian French whom I cannot understand; and who perform errands reluctantly, often without success and but indifferently at best.

A Heavy Storm is rising. I once enjoyed the blessings of liberty in its most comprehensive sense. I am now a Prisoner. I once associated with the most gay, the most hospitable, and enlightened circles of society. I am now surrounded by a set of men, whose sympathy is not congenial to my own, who know not how to assimilate ideas and feelings, and from whose eyes one enlivening beam of intelligence was never known to emanate. I once as inclination directed could enjoy the gaiety and bustle of the Town, or the more peaceful and retired pleasures of the country. This old schooner is now my only habitation.

With my dog and my gun or avocations not less amusing, I once obtained that exercise which nature imperiously demands. Here I enjoy neither exercise nor health. When wearied and tired I once had a well chosen little library to resort to. But here the scientific and historic page was never opened, here the hand of Mortality never pointed to an Addison or the facetious Sterne never created a smile. Here the finger of taste has never pointed to the beauties of a Goldsmith, the sublimity of a Homer, or a Milton, or Sympathy ever clasped a Shensstone to her bosom. The flowers of — have bloomed unnoticed and unregarded here. The sweet harmony of — has never been heard to vibrate in these wilds, and the name of — is unknown to the people of this illiterate world. I once was among friends and relatives, how great is now the reverse. And above all I once clasped to my bosom "whatever fair high fancy forms or lavish hearts can wish." I once reposed on the bosom of love innocence and sympathy, and when any cares obtruded themselves I imparted them to that being whom I love beyond all expressing, and received relief. What a distance now divides us, and barriers there are to prevent our again meeting shortly. See what unfortunate revolutions are made in a few short minutes. May my Melinda sleep soundly and undisturbed by the storm which is now beginning to rage with fury. The lightning and thunder is emblematical of my fate. At one moment all sunshine and prosperity, the next an overwhelming burst of ill fortune reaches me accompanied with the most sable darkness. Such Thunder I never heard. The winds are high to an extreme. The Schooner *Nancy* is blown afoul of our vessel, the rigging is tangled and fastened together and our prisoners are all rising to separate them.

Friday July 31st. On Board the *Lady Provost* mounting Ten 12 pounders and a long Six in the stern and another in the bow. A port hole fore and aft is vacant.

Early this morning the Provost Marshall came on board the *Thames*, and said he was sorry to inform us that the Commanding officer had ordered him to notify Mr. Gooding Dent, myself, Capt. Sharp and Sloy [?] to go on board the *Lady Provost* which would sail in a few hours. We obtained permission to take our Cook Delong with us. About 11 o'clock A. M. the *Lady Provost* dropped down below the Point of the Island, and an officer came alongside the *Thames* with a Boat, received us and our baggage and took us down to the vessel. Just before we reached the vessel the officer told us we were going to York, the Capital of Upper Canada, where we would have a limited Parole, but he [said] he thought it almost certain that we would go on to Quebec. Capt. Barwis who commands the *Lady Provost* also thinks Quebec is the place of our destination. The Schooner *Nancy* Sails under convoy of the *Lady Provost* for Fort Erie, to assist in carrying up reinforcements. Capt. Birwis [Barwis] said we would be allowed the use of the Quarter Deck during the day, but at sunset we must go to the hole where he would have us as comfortably fixed as he could, and if we wished to come on deck during the night we must get permission of the Sergt. of the guard. He apologised and said he was sorry he could not give us Cabin room they were so crowded; and said if it was in his power his orders were not to do so, and he must obey them. By the By, there was only one passenger in the Cabin and his wife. He said that he would have a small lumber room cleared where Mrs.

Gooding could sleep. Mrs. Gooding fretted and cried, and after some time he condescended very generously to let Mr. G. sleep with his wife; but he must not go to bed to her till 10 o'clock and he must send one of the guard to let his Excellency know his desire, and he would then give orders for the guard to convey him to the Door. Frequent Squalls and hard rains during the Night. Contrary winds consequently did not sail.

On Board the Lady Provost.

Saturday 1st August 1812. This Schooner is cut for 14 guns, mounts 5 Nine pound carronnades on each side and a long six in the bow and stern. The vessel sailed about sunrise with a brisk and fair gale. Thirty miles from Malden passed a number of Islands (sd. to be 30 in a cluster) on some of which are a great number [of] wild hogs, and almost every species of quadruped and game. That part of the Lake lying West of the Islands though a very broad and extensive sheet of water is usually termed Detroit Bay. At Put In Bay there is a large Island and a handsome farm belonging to a gentleman of Ohio, whose tenant resided on it when we passed it. This Bay is formed by several Islands, is narrow, deep, and said to be infinitely the best harbour on Lake Erie. In times of severe storms the vessels no matter where their destination generally endeavour to make this harbour. The Islands are generally well timbered, and the soil fertile. On some of them are large quantities of superior cedar, which is conveyed from them in vessels by the British and gentlemen of Canada for stockades and fences. The basis of Islands from the ledges of rock which surrounds them appears to be stone. We passed two not more than 40 or 50 yds in diameter, on which were trees and herbage. Several others are so small that was their foundation composed of a less solid substance would soon be washed away by the waves. Would not this considerably justify an opinion that Lake Erie was once land and that it has been sunk by an earthquake, or gradually formed by the waters of Lake Superior and Huron when forcing their passage into the atlantic ocean? The rocks on the south side of those Islands are very much infested with Rattle snakes, but not so much so "as to render it dangerous to land." The situation of the Islands appears greatly to favour the growth and increase of serpents, and they are probably more numerous here than in most parts of North America.

Between some of the Islands and near the shore in other parts of the Lake, the surface of the water is covered with the leaves of the pond lily, on which may be seen on warm days great numbers of water snakes, but not "Myriads" as Morse expresses it. The hissing snake, a small and very poisonous serpent which he describes certainly exists but not in great numbers, and the irremediable and fatal decline produced by breathing the nausea which it emits on approach is calculated only to astonish the credulous. Sounded past the Islands. From 9 to 37 fathoms water. Heaving the lead and log is to me a novelty. The *Lady Provost* is not so fast sailer as the *Nancy* by one third. $7\frac{1}{2}$ Nots an hour. From the Islands steered a north east coast. When I compare the rapidity of my progress with the slowness of my returned I am miserably dejected. For the first time I have been beyond the view of land, and for the first time I shall shortly see the sun sink beneath the bosom of the Lake. There is *one* whose heart is at this moment beating to the same fond wishes and impulses of my own, who is sympathising in

my sorrow, and offering her plaintive Orisons for my health, happiness and quick return. And O how fervently do I reciprocate her feelings and return her prayers. My pen must no longer withhold me from the enjoyment of this melancholy pleased.

Sunday 2nd. August. On Board the *Lady Provost*. Sailed all night—Fair and heavy wind—High sea. From $7\frac{1}{2}$ to Nine Knots an hour. Mountains on the American shore appear like blue clouds. Sea Sick.³⁷

Passed a point of land projecting into the Lake several miles called Long Point. Could see land faintly without being able to distinguish objects. Evening. Heavy storm rising.³⁸

6 o'clock. P. M. All the sails except the mainsails settled away and a reef taken in them. Lay to or Beat about—below deck all but sailors.

Tuesday 3rd August. On Board the *Lady Provost*. Sailed about 12 o'clock at night the storm having then abated. Within perfect view of the American shore and the towns of Buffalo and Black Rock. The Landscape is beautiful and *enticing* beyond description.

Passed Point Ebenan.³⁹ At 11 or 12 anchored at Fort Erie.

When mournful evenings gradual vapours spread, etc.

Wednesday August 4th. Still on Board the *Lady Provost*. Wind changed fair for Amherstburgh last night, and about daylight this morning the *Nancy* and *Hunter* sailed about Sixty Regulars to reinforce Malden.⁴⁰ Genl. Brock has gone up by land with 400 men principally Militia to operate against our army.

³⁷ Here three stanzas from *The Pains of Memory* are omitted.

³⁸ Here the writer has copied into his journal Osborn's *The Sailor*, which we omit.

³⁹ Abino.

⁴⁰ They reached Amherstburg August 8, and, sent across the river at once by Procter, reinforced the British just before the engagement at Maguaga on the 9th. Richardson, p. 35.

REVIEWS OF BOOKS

BOOKS OF GENERAL AND ANCIENT HISTORY

The New History: Essays illustrating the Modern Historical Outlook. By JAMES HARVEY ROBINSON, Professor of History, Columbia University. (New York: The Macmillan Company. 1912. Pp. vii, 266.)

THESE essays treat of The New History, The History of History, The New Allies of History, Some Reflections on Intellectual History, History for the Common Man, The Fall of Rome, The Principles of 1789, and The Conservative Spirit in the Light of History. All but one have seen the light before. For reappearance, however, they have been modified or supplemented here and there, and welded to a common theme.

This theme appears to start from the premise, that "society is to-day engaged in a tremendous and unprecedented effort to better itself"; that "what we rather vaguely and provisionally call social betterment is coming to be regarded by large numbers of thoughtful persons as the chief interest in this game of life". If this be conceded, it is asked, does not the supreme value of history lie for us in what help it may give on this great present-day task of human betterment?

So far, however, historians have not set themselves to furnish us the help they might. History—history alone—can make the present intelligible. "Could we suddenly be endowed with a Godlike and exhaustive knowledge of the whole history of mankind . . . we should gain forthwith a Godlike appreciation of the world in which we live and a Godlike insight into the evils which mankind now suffers, as well as into the most promising methods for alleviating them, *not because the past would furnish precedents of conduct, but because our conduct would be based upon a perfect comprehension of existing conditions founded upon a perfect knowledge of the past.*" History ought at least to aid us toward such knowledge. But this one thing that it ought to do, it has not effectively done. "It is this most significant form of history's usefulness that has been most commonly neglected."

Then let historians change their ways. Let them escape "from the limitations formerly imposed on the study of the past"—for example, attend less to the merely conspicuous and more to the common and homely. Let them find allies in every possible quarter—anthropology, prehistoric archaeology, social and animal psychology, comparative religion, political economy, political science, and the rest: criticising, guiding, synthesizing for some; drawing aid and life from all.

Let more of them attend to intellectual history. For "in the career of conscious social readjustment upon which mankind is now embarked, it would seem as if the history of thought should play a very important part." "What more vital has the past to teach us than the manner in which our convictions on large questions have arisen, developed and changed?" The history of thought "not only enables us to reach a clear perception of our duties and responsibilities by explaining the manner in which existing problems have arisen, but it promotes that intellectual liberty upon which progress fundamentally depends". Such reform on the part of historians would tend to make of history not only a more useful means for education, but an indispensable aid in the whole management of society. Still more, history would come to promote enthusiasm for progress, and nurture radicalism. "The radical has not yet perceived the overwhelming value to him of a real understanding of the past. It is his weapon by right, and he should wrest it from the hand of the conservative. It has received a far keener edge during the last century, and it is the chief end of this essay to indicate how it can be used with the most decisive effect on the conservative."

Many members of the historical guild will not agree that the "New History" either is or ought to be just as it is portrayed here. He must be however a most pachydermous conservative who will fail to find in these essays much mental food that is both palatable and wholesome. They abound in comments that command assent, they are charmingly written, and they discuss with cumulative force the bearing of history on the present.

E. W. Dow.

Historical Research: an Outline of Theory and Practice. By JOHN MARTIN VINCENT, Professor of European History, Johns Hopkins University. (New York: Henry Holt and Company. 1911. Pp. v, 350.)

A BOOK of the kind in hand can be judged from two points of view: from the view-point of a fellow-worker in the field of history, and from that of a beginner who is about to enter the field. Though it is for the latter that the book is intended it is obvious that your reviewer can best consider it from the standpoint of the former.

In certain directions Professor Vincent's book appears not to measure up to the rules which are set down in its own pages. Thus, the section which treats of methods and means of testing the genuineness of documents makes no allusion to the metrical tests which have been so useful in determining the authenticity of the papal correspondence of certain periods. The phraseology of the book is here and there somewhat unusual, at times it is even obscure. "Even in the more studied literary hand there came developed pass usages which were due to the reed or the pen" (p. 49). "As a subject of study abbreviations command great respect and any attempts to further classify and set them in

order are to be welcomed" (p. 54). "The methods of the investigating economists are, therefore, to be recommended for valuable suggestion" (p. 276).

Still, let it be emphasized, that these are after all secondary matters, and are not the criteria by which to judge the book. A more serious objection will be raised by the reader against the organization of the material. In a general way the book follows the order of development used by Bernheim, though it has also been influenced by Wolf, but the material has in this instance not been rigidly outlined and classified. This fault is apparent from the table of contents, which consists of the chapter headings. On closer examination it will be discovered that these headings are not always guides to what appears in the body of the chapter. Chapter xv., Criticism and Interpretation of Records, after an allusion to internal criticism, treats the topics stated by the marginal notes as follows: public documents, legislative records, the preamble, customary law, law and reality, criminal law and civilization, primitive constitutions, danger of the exceptional, records of discussion, value of reports, genesis of a law, petitions, municipal records, medieval ordinances, modern ordinances. Another instance. Chapter xxii., The Constructive Process, deals with the following: combination of previous labors, divisions of history, trivial causation, physical environment and its effect on man, including the relation of geography to history and the economic interpretation of history.

Evidences of this inadequate outlining are also to be found in the text. "Fictitious speeches" are discussed twice (pp. 35, 140); the influence of physical environment on man is touched upon repeatedly (pp. 5, 9, 265, 273, 275). The whole of the first chapter is devoted to determining what history is. This ought to end the matter, but the function of history is restated from time to time (pp. 249, 261, 302, 318, and *passim*), and toward the end of the book the author still finds it possible to discuss the question whether history is an art (p. 304).

In the arrangement of the book there are two conspicuous faults. The opening pages of the volume (pp. 13-14, and especially p. 18) place such stress upon the difference between historical materials which furnish "conscious and unconscious evidence", that one might assume the distinction to be fundamental; but, though the two kinds of evidence are mentioned repeatedly, the distinction between them forms no part of the skeleton of the work, except in these first pages. A sharp distinction is also drawn between external and internal criticism (pp. 19-20), and we read of the latter that it is "often called Higher Criticism, since it deals with more important matter than external form". In view of this statement and the fact that external criticism is treated in a chapter by itself, we should expect a chapter at least on internal criticism. But there is none, and the index does not mention internal criticism except to refer to the page containing the above passage. It does not really help matters much to find (p. 168) that "this book has brought together pro-

cedures which theoretically might be separated into internal criticism and interpretation", particularly when, as has been shown above, the chapter entitled Criticism and Interpretation of Records does not deal with these matters at all.

As a counterpart to these faults it must now be added that the book is filled with useful information and that the bibliography is quite adequate for the beginner.

Looked at from the standpoint of the person for whom it is primarily intended, "the advanced student who is about to enter the field of research" (p. iii), the book reads well and makes new and useful suggestions, and will be read with profit by students.

EDWARD B. KREHBIEL.

Geschichte der Neueren Historiographie. VON EDUARD FUETER. [Handbuch der Mittelalterlichen und Neueren Geschichte, herausgegeben von G. v. Below und F. Meinecke, Professoren an der Universität Freiburg i. B. Abteilung I.] (Munich and Berlin: R. Oldenbourg. 1911. Pp. xx, 626.)

THIS book is unique. It is a comprehensive survey of modern historiography, with concise critical commentary, short biographical sketches, and a bibliographical apparatus from which is eliminated all but those references which really bear upon the subject in hand and embody recent or reliable scholarship. It comes to fill a need long felt by teachers of modern history, and will fill it remarkably well. It is enlightened and objective, yet by no means colorless. The "old masters" are passed in review and placed in their categories, and each one is characterized in bold and definite outline. The difficulty of this achievement is only apparent when one realizes that although we have over 600 large octavo pages, about one-third of which is in small type, there is room for only three pages each on Michelet, Guizot, Fustel de Coulanges, Carlyle, and Macaulay, two on Buckle, four on Taine, six on Hegel, thirteen on Ranke, etc. The necessity for saying things succinctly and well was never more sternly laid upon the author of a work of reference. Since even our encyclopaedias, especially the last edition of the *Britannica*, can almost rival the extent of space devoted to each historian, only keen, incisive characterization, showing real familiarity with the works in question, could save this work from giving the impression of a banal dictionary of historiography. Dr. Fueter has admirably succeeded in this difficult task. His book is a gallery of portraits, firmly drawn, and of penetrating criticism definitely directed. He has caught and summed up in a few words the spirit of Bancroft, of Motley, and of Prescott, he deftly appreciates the achievement of a Fustel de Coulanges and the delicate precision of Maitland, throws over against the rationalist conservatism of Guizot the lyric turbulence of Michelet, and gives us the full blast of Treitschke's Prussianism. From Humanism—the medieval aspects of which do not escape him—to the era

of 1870, the survey is thorough and the method of treatment as novel as the style is incisive. Sometimes one may differ in judgment as to the importance of historians—especially non-German ones—but upon the whole the characterizations are convincing.

It is the plan of the book, rather than the separate parts, which will more probably be called in question—although that also affects the characterizations. For the device by which such clear-cut portraiture has been achieved is by arranging the whole of modern historiography into categories, with much emphasis upon *Zeitgeist* and leading ideas. There is warrant for such a method, to be sure, in the view of history and historians held by that master of objectivity, Ranke. But while this plan contributes to the success with which each historian is so deftly labelled, the reviewer believes that it is overdone. It presents a synthesis of modern historiography which amounts to a history of ideas about history rather than a direct history of historical achievement. One can see this best in the treatment of nondescript historians—especially the English. That typical, rather nonchalant English attitude which roused Buckle's ire also misleads our German author as to the actual value of the contribution. For instance Gibbon is given but two pages as a member—along with Hume and Robertson—of the school of Voltaire, who, by the way, receives fourteen. It would be justifiable to classify historians according to a single scheme of ideas if each one had only one idea. But when they have two, as they sometimes have, there is trouble. For instance Heeren is put into a school of Montesquieu, while Möser is given an independent place. Carlyle is given scant justice as one who contributed no new idea to historiography, etc. On the other hand, if the author intended really to give us a history of the dominating ideas among historians, alongside of the full and prominent treatment of Hegel and of Liberalism, we should certainly have something on Marx and the economic and social influences in the interpretation and writing of history. The name of Lamprecht is also missing. A page at the close seems to regard this phase of history as a task for the future—between now and the time when history will become an exact science! But something has already been done in it. We have noted some minor slips in detail—such as the statement that Freeman did not take an active part in politics—but, upon the whole, the book is done with great care, and will be indispensable to all students of modern history.

J. T. SHOTWELL.

The Fairy-Faith in Celtic Countries. By W. Y. EVANS WENTZ, M.A., LL.D., B.Sc. (London and New York: Oxford University Press. 1911. Pp. xxviii, 524.)

MR. WENTZ'S book is doubtless intended less for the historian than for the pursuer of psychical research. Nevertheless the subject with which it deals, the popular belief in a supernatural fairy-world, is ma-

terial of history, and particularly important material of literary history, and the parallel which the book draws between the recorded fairy-mythology of the ancient Celts and the living fairy-faith of their modern descendants affords at all events a most striking indication of the persistence of popular conceptions. The author himself is chiefly concerned about the truth of the traditions and the validity of the supernatural experiences which he relates. Accepting them, or at least a certain portion of them ("an X-quantity"), as unassailable, he explains them by the animistic hypothesis that the world is full of spiritual creatures—fairies, demons, or departed mortals—who are capable, under certain circumstances, of affecting the life of human beings. He tries to show, furthermore, that this conception is supported by modern psychical science, which thus confirms the wide-spread beliefs of the people and, in particular, the philosophy of many Celtic seers, ancient and modern. Now both this theory and the body of evidence on which it is based are open to most serious question. The testimony which Mr. Wentz collects concerning various sorts of fairy apparitions is in many cases a very indirect kind of hearsay and in hardly any case has it been subjected to critical analysis or examination. And even if many of the experiences recorded should prove genuine, it would require more thorough and careful argument than Mr. Wentz has produced to exclude the possibility of naturalistic explanations. In its main theses, consequently, the book must be reckoned a rather fanciful performance. But in the course of the argument much valuable material is brought together and discussed, and the development of fairy-belief among the Celtic peoples is probably more fully exhibited than in any previous treatise. Thus Mr. Wentz's services to history may be after all of quite as much permanent value as his more deliberately intended service to psychical research.

Apart from the general considerations already pointed out—the lack of caution which characterizes the author in dealing both with matter of fact and with matters of theory—various detailed criticisms might be made on his work. There is sometimes a confusing lack of order in the arrangement of his material, especially in the earlier chapters dealing with oral testimony. But this was perhaps made necessary in a measure by the plan of the book. The statements of the author's own views are also occasionally obscure, or even seemingly inconsistent. His attitude toward mythological theories, for example, seems now and then to shift and is hard, in general, to make out. (Compare pp. 284, 287, 307, 309, and 321.) In spite of the boldness of his doctrine and the vigor of his statement he does not seem always to have thought his problems thoroughly out. On the historical side, he goes, as he himself confesses (p. 364), beyond the warrant of cautious scholarship in admitting an unbroken connection between modern Welsh Druidism and the ancient Celtic religion, and in using the triads of Iolo Morganwg's collection as evidence of early tradition. His discussion of some important prob-

lems in literary history—such as, for example, the transmission of the Matter of Britain (p. 328), or the relation of Geoffrey of Monmouth to the Arthurian romances (p. 323)—is meagre, or possibly misleading. His bibliographical notes, finally, do not always display an extensive acquaintance with the technical literature of his subject, and some of his references (general citations of the “Book of the Dun Cow” or the “Red Book of Hergest”) are of little value. These various defects occasionally impair the value of Mr. Wentz’s arguments; but, on the whole, they do not destroy the main value of the book, which is competently, and even ably, written. And in view of the fact that the author worked with very little knowledge of the Celtic languages, but was dependent on translations and interpreters, the volume contains surprisingly few errors of fact.

F. N. ROBINSON.

Ἀρχαί: Storia della Repubblica Ateniese, dalle Origini alla Età di Pericle. Di GAETANO DE SANCTIS. Seconda Edizione riveduta ed accresciuta. (Torino, Roma, Milano: Fratelli Bocca. 1912. Pp. xii, 508.)

IN its first edition this book ended with Clisthenes. Now that two new chapters have been added, one entitled Themistocles and Athenian Imperialism and the other Pericles and the Victory of the People, it reaches almost to the outbreak of the Peloponnesian War. The earlier chapters have been carefully revised, the European and American literature of the last fourteen years being taken into account. The author does not believe that any one people has a monopoly of science. The press-work of the new book is better than that of the old. Many Greek names and quotations have been replaced by their Italian equivalents, detailed discussions have been transferred to appendixes and still further changes have been made in the interest of the general reader. Beyond question the work has been much improved.

The *Ἀρχαί* contains a triad of elements constantly recurring: a statement in simplest terms of the ancient report; a detailed and incisive criticism of it—the views of the moderns being dealt with at the same time; and an historical interpretation which is catholic in scope and guided by matured convictions. There is no questioning the author’s knowledge or his professional competency. He has given us an account of the growth of Athenian institutions which is unique in historical literature. A similar orientation as to sources and bibliography would be useful in English.

The general attitude of De Sanctis may be gauged by a few of his conclusions. The close of the Mycenaean period came in the course of the ninth century B. C. The *thesmothetae* were created either along with the archon or a little later and before the polemarch. They were originally judges, perhaps circuit judges. The first Athenian council (apart from that of the Areopagus) was created by Clisthenes. The council

of four hundred attributed to Solon never existed. The *naucraries* were established by Pisistratus. The *diacrii* were not the party of the peasants nor the *paralii* that of the industrial and commercial elements: "ambedue le fazioni popolari erano composte in massima di possidenti". The attempt of Cylon to make himself tyrant falls not in *ca.* 612 B. C., nor yet before Draco in *ca.* 624 B. C. (as the late Professor John Henry Wright maintained before the lost Aristotle was found, and as is now current orthodoxy). Dated properly, according to De Sanctis, it belongs between the first and second tyrannies of Pisistratus in *ca.* 550 B. C. The second expulsion of Pisistratus is, of course, legendary. Naturally the first ejection of the Alcmaeonidae occurred immediately after the failure of Cylon's attempt. The *strategi* were first created by Pisistratus, who however had nothing whatever to do with the establishment of the "deme judges". Election by lot was first used in Athens in Cleisthenes's time. Originally devised to draft the citizens in batches of five hundred into the new council, it was extended to all the magistracies between 508 and 487/6 B. C. Ostracism was not first applied but first established in 488/7 B. C. "Son certamente fallaci gli aneddoti sugli scaltrimenti con cui Temistocle avrebbe indotto gli Spartani a tollerare che Atene si circondasse di mura."

De Sanctis is a pupil of Beloch. That means he learned his trade from a ruthless critic of the ancient tradition. In this school the canon is not only held but applied that no reliable account of anything Athenian prior to Pisistratus (apart from that based on the laws and poems of Solon) was extant in the fifth and fourth century B. C. Inferences of the classical authors have less value than those of the modern critical historians. De Sanctis appears everywhere as counsel for the plaintiff in the trial of the tradition. It seems to the reviewer that the defendant does not always get a fair hearing, and that not infrequently a verdict of guilty is secured where a Scotch verdict is alone warranted.

WILLIAM SCOTT FERGUSON.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

Jean II. Comnène (1118-1143) et Manuel I. Comnène (1143-1180). Par FERDINAND CHALANDON, Archiviste Paléographe, Ancien Membre de l'École Française de Rome. [Les Comnène; Études sur l'Empire Byzantin au XI^e et au XII^e Siècles.] (Paris: Alphonse Picard et Fils. 1912. Pp. lxiii, 709.)

CHALANDON is already favorably known by his *Essai sur le Règne d'Alexis I^{er} Comnène*, published in 1900, and by his *Histoire de la Domination Normande en Italie et en Sicile*, published in 1907. The present volume is the second in the series on *Les Comnène*, of which his *Alexis* was the first. It is good news that after finishing this series by a third volume extending to 1204, Chalandon proposes to write, "sous une forme moins aride", a history of the Byzantine civilization in the

twelfth century. Such a work is much needed, and the author's peculiar fitness for the task is shown by his illuminating, although fragmentary, discussions of some phases of the civilization.

In the present volume he deals with the reigns of John II. and Manuel I. The documentation is very thorough and is based upon a careful study of the sources, of which the most important results are set forth in forty-five pages of the introduction. There are many excellent notes, into which a vast amount of information is packed. When the sources differ, Chalandon gives all the versions; when he has only one source, he says so. There are very few statements of facts which are not fully supported by the authorities quoted.

The bibliography is excellent and very full. There appears to be only one omission of great importance; although Röhricht, *Regesta Regni Hierosolymitani* is included, the *Additamentum*, published in 1904, is missed. Ilgen is cited incorrectly as Ilger each time that it is quoted. The continuation of Martin's work in the *Journal Asiatique* is omitted. Probably if the author had used the second part of Martin's work he would also have found some material in the notes of Romanos published in the same volume.

The technical points have been brought in first in this review, and rather minutely, because this is primarily a volume for the specialist and will be most valued for its elaborate apparatus. But in addition the subject-matter is of great service in many lines. It covers all the political history of the Byzantine Empire from 1118 to 1180, and all the relations with the other powers of Europe, Asia, and Africa. It is simply packed with facts. The author, by his accurate and extensive knowledge of the sources, is frequently able to correct the mistakes of such men as Krumbacher, Bernhardi, and Kugler. The volume cannot be neglected by students of the Holy Roman Empire, of the papacy, of the Lombard League, of the Kingdom of Sicily, or of the Kingdom of Armenia. For the Latin states in the Orient, it is especially useful, and Chalandon has made a real contribution by showing how constantly and how completely the desire to maintain their hold upon Antioch influenced the policy of the Greek emperors.

This work is somewhat *aride*, but there are parts of great interest. The characters of the two emperors are admirably portrayed. Manuel, in particular, is described with all his strength and weakness, his vicious private life, his intense interest in theology, his wastefulness, his zeal in reforming the courts, his love of adventure, his pride in his medical skill, and his seductive and strenuous personality. In his study of Alexius, Chalandon was inclined to be a partizan of the Greek emperor; the same point of view is occasionally apparent in this volume, but Manuel is severely censured for his treachery. It is interesting to note how frequently the trend of events was leading to similar developments in the Byzantine Empire and in the west of Europe: *c. g.*, the ideal of altruistic service in the newly established monasteries; the growth of institutions

among the Greeks which were closely akin to feudal institutions in the West. One picturesque passage (p. 464) describes the attempt of the unfortunate aviator, who reminds us of "Darius Green".

There is an index of proper names which fortunately includes references to all of those in volume I., as well as in this volume. A subject-index would be of great use; and the value of the work would be enhanced by a chronological table, as the treatment is wholly topical, and by some maps. The work can now be read intelligently only with an atlas constantly at hand, and not infrequently any atlas is unsatisfactory for some of the territory covered in this volume. But as the criticisms have shown, the defects are of minor importance; the work is excellent, far superior to any previous treatment of the subject.

DANA C. MUNRO.

Documents illustrative of the Continental Reformation. Edited by Rev. B. J. KIDD, D.D., Keble College. (Oxford: Clarendon Press. 1911. Pp. xix, 743.)

THIS volume is the first attempt by any scholar in the English-speaking world to present on an elaborate scale sources for the ecclesiastical aspects of the Continental Reformation. The selections run, in point of time, from the flaring-up of the revolt against indulgences down to the death of Calvin; in point of space they cover Germany, Denmark and Scandinavia, German and French Switzerland, France, the Netherlands, Hungary and Poland, and, in pursuance of a happy hint from the late Bishop Stubbs, they embrace even Scotland. The material is divided almost equally between the Lutheran and the Reformed movements; but the main emphasis is properly put on Wittenberg, Zürich, and Geneva. The dominant interest is distinctly Anglican: much space is given to changes in ecclesiastical constitutions and liturgies, as well as to the rise of doctrinal divergences. He who is half disdainful of such details will find in this survival of the sixteenth-century point of view a wholesome corrective; but he will also miss the modern emphasis on social and economic factors.

At first sight the work reminds one of Stubbs's *Select Charters*, minus the glossary. The Latin language predominates, French is well represented, but English, significantly enough, takes the place of German. More inevitable is comparison with Gee and Hardy's *Documents illustrative of English Church History*. Impressed with the usefulness of that collection, Dr. Kidd persuaded the Oxford University Press over a dozen years ago to approve this parallel undertaking; and we now have the slowly matured fruit of his labors. In technique the book is better than Gee and Hardy: the documents are provided with introductory notes which, attenuated as they necessarily are, yet link piece to piece; and the concatenation leads at length to a well-wrought topical index. In subject-matter also the book is more attractive; the extracts are not so largely legal or constitutional; there is more color, more typical

detail, more chance to check up legislative ideals by the dry observations of chroniclers. In one particular, however, the work falls short of its predecessor; whereas Gee and Hardy usually printed their pieces intact, Dr. Kidd leaves out passages very freely; for instance, the dots that signify omissions perforate the thirty-eighth page no less than thirty-four times. How can one draw much from sources, if one must use a sieve? It goes without saying, moreover, that he who reprints sources should find the best texts, no easy matter when the bibliographical tools are as poor as they still are for the sixteenth century. One readily pardons the printing of no. 72 from the abstract in the *Calendar of State Papers Spanish*, and of no. 112 from an abstract by Ranke; but one feels systematic methodical doubt when offered early Latin translations of German originals, such as Seckendorf's version of Melancthon's *Instructions for the Visitors* (no. 96). It is a further shock to find Luther quoted on the basis of Walch (1740-1752), not from the monumental Weimar edition, which has been in process of publication these thirty years; but this lapse may perhaps be explained by the curious fact that at least up to a couple of years ago the Weimar edition was not accessible in any of the libraries of Oxford. The appearance of Dr. Kidd's book is perhaps the sign of the dawning of a new day in England, and serious students of the Reformation will be grateful to its compiler for his laborious and valuable researches.

WILLIAM WALKER ROCKWELL.

A Calendar of the Court Minutes, etc., of the East India Company, 1644-1649. By ETHEL BRUCE SAINSBURY, with an Introduction and Notes by WILLIAM FOSTER. (Oxford: Clarendon Press. 1912. Pp. xxviii, 424.)

As in previous volumes of this series, already reviewed in this journal, the student finds in this collection careful preparation of the documents, a useful index, and an excellent preface. The material is drawn chiefly from the Court Books of the East India Company, though we find occasional entries from the State Papers Domestic, and from the Home Miscellaneous and the East Indies series of the Public Record Office. The last is now cited as Colonial Office 77. Naturally this volume is important for more than the direct and intimate history of the company, of which, however, only a few phases can be noted.

The situation in the East is not particularly interesting; but the range and increasing variety of the problems involved are suggested in the company's statement of February 8, 1647, that "the trade to the East Indies is settled in the dominions of fourteen sovereign Princes, wherein twenty-three factories are maintained and ninety-two English factors, of all conditions employed. Twenty ships serve these factories, the greater number going from port to port to procure lading for vessels to be despatched at the proper season" (p. 188). While "scarcity of

moneyes" existed in 1643 and 1644, in 1648, when prospects had brightened for a short time, nearly £200,000 had been promptly subscribed for a further "general voyage" and the House of Commons had voted its approval of members "subscribing for the better advancement of the Company's trade" (p. 222). Furthermore other ventures, whether under the company by special agreement or as interlopers, talked largely and frequently of even heavier investment. England was not poor when monarchy was ending; but capital was not the only question.

The matter of chartered rights was fundamental. Already the personal government of Charles I. had left its legacy of peril in Courteen's Association. Now the question was complicated by the existence of changing, if pious parliamentary committees to whom optimistic adventurers and serious merchants paid suit. The long delays incident to the excitement of war and religious controversy, the hesitations of the House of Lords as to monopoly, and active and alarming plans of Cromwell's friend, Maurice Thomson, all combined to disturb the company and to endanger its rights. At last with the abolition of the House of Lords the dispute as to the company's powers came before the Council of State, which in turn referred the question to Parliament, thus finally tending to the establishment by that body of a Board of Trade. But shortly Parliament acted independently in authorizing the East India Company to proceed with its trade. This, however, carries us into 1650 after nearly six years of doubt and uncertainty.

From all this emerges at least one point interesting to students of American history. The chief of the new organizers of rival schemes had been Maurice Thomson, of whom later volumes in this series will give further information. And Thomson's interest in imperial matters had first been largely bred by his American experience in Virginian and West Indian trade. He then brought to his Asiatic ventures a conception as to commerce and plantation which struck at the root of the company's jealous control. For in the Assada project he wished to inaugurate real emigration by Englishmen and colonization under his company, to reorganize trade on the coasts of Africa, under the same charter to proceed to any part of the coast of America, and lastly to "obtaine a settled, fortified habitation under our owne [English] government upon the coast of India" (p. 371). This and kindred invasions the East India Company stoutly resisted, though with the Assada merchants they made a compromise as to finance and the chance to trade in India.

On the whole, however, the corporation was fortunate not to have endured heavier losses. For if we may believe their mournful language of 1643 "all trade and commerce in this kingdome is almost fallen to the ground through our owne unhappie divisions at home unto which the Lord in mercie put a good end".

ALFRED L. P. DENNIS.

The Life of Edward, Earl of Clarendon, Lord High Chancellor of England. By Sir HENRY CRAIK, K.C.B., LL.D. In two volumes. (London: Smith, Elder, and Company. 1911. Pp. ix, 394; 343.)

It is now seventy-five years since Lister's *Life of Clarendon* appeared. Since then but one considerable account of the great chancellor, that by Professor Firth in the *Dictionary of National Biography*, has seen the light, and that is fully a quarter of a century old. Meanwhile a whole library of original material for the seventeenth century has been unearthed and published as it stood, or worked up in monographs, biographies, or histories. Since Lister a long generation of scholars headed by Gardiner, Ranke, and Firth, have discovered to us a whole new revolutionary epoch. Even since the appearance of the tenth volume of the *Dictionary* no small collection of material and studies has been published which throws light upon the age of Clarendon. It would, then, seem high time to have a new biography of the minister, on an appropriate scale, which, even though it added nothing new of its own, should at least gather up all this new material and present it in the light of our present knowledge and understanding of the period. This is the more true in that the lives of eminent Royalists are still all too scarce—and one therefore takes up these new volumes of Sir Henry Craik with peculiar interest and anticipation.

In what spirit and according to what method the present biography has been written, from what material it has been drawn, let the author's own words declare. "I do not propose", he says, "to re-write the history of the Civil War and its sequel. I wish only to depict the character, to appreciate the motives, and to investigate the action of one who was a foremost actor in the great struggle . . . and to claim for him the honour which he deserves as one of England's great statesmen. I am quite aware that, in so doing, I must dispute the adverse and grudging estimates of those who have condemned and belittled his work, and of those hardly less unfriendly critics who have given him but faint and lukewarm praise. . . . I do not claim to have unearthed new documents, nor have I sought, from the obscure memorials that remain, to adduce new facts that might rebut existing records. Even to reproduce, in copious annotations, the foundations upon which my narrative is based, would have encumbered my main object. . . . Amidst the tangled mass, through which we must make our way in order to construct the story, I do not hesitate to declare that I look chiefly to the great record . . . which he has himself left us." And again, "Clarendon's influence is chiefly interesting because he created the abiding tradition of a great party in the State, which lasted for at least a century and a half. It is none the less interesting at this moment, when we seem to have cut ourselves adrift from the Constitutional landmarks of the past." It is not often that an author so relieves a reviewer of his task. Here we have

a biography favorable to the verge of eulogy, derived so largely from Clarendon's own words that parts of it seem little more than a rewriting of the *History* or the *Life*, written from a conservative, high church standpoint, and not uninfluenced by the recent democratic revolution in the British Isles.

How much the book owes to earlier writers in the field we may judge somewhat from his description of Lister, "that most luke-warm of all biographers", full of "the true spirit of orthodox Whiggism", and, in at least one case, "not even consistent with himself much less with historical truth". In Gardiner "much rancour may be combined with an almost quaker-like profession of what is called historical impartiality", and with an "overmastering desire to belittle Hyde's part in the history of his time", in accordance with the "apparent but not very real impartiality of tone" of his school. Apart from his references to the works of Lister and Gardiner the author's numerous foot-notes relate almost entirely to Clarendon and the better known body of published original material. He has, without doubt, read widely in the literature of the period and has used much of it which his references do not indicate. But of later scholarship's contribution to the subject there is not much trace. Nowhere, perhaps, in recent historical literature can one find a more notable example of his peculiar type of historical writing than in his long foot-note on the Grand Remonstrance, that "long rigmarole", "sorry production", "farrago of narrative, of ejaculatory lamentations, of bitter invective, and of pietistic aspirations", where his shrewd guess as to its composition is apparently free from any suspicion of an increase of knowledge concerning it since Rushworth's time. It would far exceed the limits of any reasonable review to discuss the various questions raised by almost every chapter of the book, nor is it necessary to do so, to appraise its value. It would be wearisome to enumerate the variety of phrases evolved to describe the wickedness of Vane, to say nothing of Clarendon's other numerous opponents. It would scarcely be possible to discuss the many points where Hyde is defended from possible criticism by the (favorite word of the author) loyalty of Craik—his insinuation into place and power, his abstention from a dangerous course in Strafford's case, his great care for his own safety amid war's alarms, or his mistakes after he became chief minister. Craik admits few faults or none in his hero, and he does little to clear the mystery surrounding no small number of circumstances in his career, though, beyond all other writers, he makes entirely clear from Clarendon's own words how that didactic sermonizing spirit grew so distasteful to a pleasure-loving king, whom, to his lasting honor, he never hesitated to rebuke.

This new biography tempts to endless controversy on almost every page, but, given the spirit and method of the author, there is perhaps nothing more to be said. We still need, not a eulogistic rewriting of Hyde's own *apologia pro vita sua*—that splendid classic speaks for itself

—but a biography based on modern scholarship and impartial judgment. For, whatever Clarendon's weaknesses, they were not so great as to deserve unqualified defense; whatever his strength it was not so small as to require unlimited praise.

W. C. ABBOTT.

Henry Fox, First Lord Holland: a Study of the Career of an Eighteenth Century Politician. By THAD W. RIKER, M.A., B.Litt. Oxon. In two volumes. (Oxford: Clarendon Press. 1911. Pp. 438; 419.)

THIS book, by a former Rhodes Scholar, inevitably challenges comparison with two other recent eighteenth-century biographies, Dr. von Ruville's *Chatham*, and Lord Rosebery's *Chatham*. Mr. Riker's book has the same merits and the same defects as that of Dr. von Ruville; both authors show familiarity with modern methods of research, both can track down an undated letter, or give a lucid statement of a complex situation. But too often the life expires under the dissection. Both have toiled more in dusty repositories than has Lord Rosebery, but neither has the knowledge of English political life, or of the old Whig idea of connection as a social and political force, which Lord Rosebery has as his birthright.

Mr. Riker shows commendable erudition, but little power of historical interpretation. From the chief sources, published and unpublished, he has given us a minute and externally correct account of a tangled period; he has toiled through the Newcastle and the Hardwicke correspondence, and not a few other manuscript collections in the British Museum, and in the Public Record Office; but his style is unformed, and his comments on men and things commonplace and uninteresting; his book is a clear and careful chronological statement; to the higher qualities of historical interpretation it makes little if any claim.

Though called a life of Henry Fox, Mr. Riker's book treats fully only of the period from 1754 to 1763, and especially of that from 1754 to 1757, the three years of struggle following the death of Pelham, which decided that Pitt and not Fox was to control the destinies of England. Of Fox's rise to influence he says little, and still less of his later years of retirement. Even in the period which he treats in detail, he devotes himself almost wholly to Fox as a party manager. Though as secretary at war Fox seems to have been an energetic and efficient administrator, of this side of his life Mr. Riker gives us almost nothing, perhaps wisely preferring to wait for access to the papers at Holland House. Even of the subject thus limited, Mr. Riker's treatment is external. We are given a minute and accurate account of all the ministerial changes which were made, projected, or suspected; but though we are often told that Fox was a supreme party manager, we get few glimpses into his secret. His greatest achievement was the passing through Parliament by an enor-

mous majority of the preliminaries of the peace of Paris; Mr. Riker adds little to our knowledge of how it was done; he tells us that Fox employed barefaced corruption, and keen knowledge of the baser sides of human nature; he does not reveal his methods of using his knowledge and his coin.

Mr. Riker is especially weak in his treatment of Fox's great rival, Pitt, a weakness perhaps due to the over-devotion to the Newcastle Papers. No student of Pitt's letters, in that correspondence can fail to recognize that there was in him a vein of pompous dissimulation, ill according with his high professions of disinterestedness. This touch of cant sickens Mr. Riker, as at the time it did Burke; as a result we hear altogether too much of Pitt the intriguer, and not nearly enough of the most Olympian figure in English history. If we had Mr. Riker's book alone to depend on we should be at a loss to know why in 1756-1757 the whole nation cried out for Pitt, and would have none of Fox. It is difficult to understand what Mr. Riker means by saying, "In consistency of principles and in debating powers, Fox was far the superior of Pitt" (II. 148). It is abundantly clear from Mr. Riker's own narrative that Henry Fox never in his life had a political principle, unless we can dignify with that name the determination to die wealthy and a peer. In a corrupt age he was corrupt and faithless; with all his personal charm of manner he died with hardly a friend; even the robust and not over-squeamish Rigby could not stand him (II. 289). The "honesty" on which he plumed himself was at best the honesty of Dugald Dalgetty, a desire to give efficient service to his temporary owner. He carried through Parliament the peace of Paris, and he did it well; had the ministry wished to defeat the peace, and needed Fox, he would have done their bidding with the same efficiency for the same pay.

On the whole, however, Mr. Riker is commendably free from the biographer's vice of hero-worship. Later, in a comparison of the two rivals, he hits the nail on the head when he says: "At least we can say that Pitt honoured the English people when he thought of them as a nation; while Fox on the other hand, who despised the populace as rabble, and did not look beyond the circumference of his little social and political world, caught never the slightest gleam of patriotism" (II. 208). Mr. Riker's general view of Fox is eminently fair, and if it does not change the established opinion, it at least confirms it. It is not without value that a careful and meticulous study of Fox confirms the view that he was "simply emblematic of a system of politics in vogue during the Eighteenth Century" (II. 338); a good manager of the House of Commons, fearless and logical, but utterly without constructive statesmanship.

W. L. GRANT.

Acts of the Privy Council, Colonial Series. Volume V., A.D. 1766-1783. Edited through the direction of the Lord President of the Council by JAMES MUNRO, M.A., Beit Lecturer in Colonial History in the University of Oxford, under the general supervision of Sir ALMERIC W. FITZROY, K.C.V.O., Clerk of the Privy Council. (London: Wyman and Sons. 1912. Pp. xli, 830.)

WITH the issue of the fifth volume of the *Acts of the Privy Council, Colonial Series*, the work as originally planned is completed, and there lies spread before us in compact, orderly, and convenient form a series of invaluable official records, covering the years from 1613 to 1783, that have hitherto been locked up in some ninety-nine manuscript volumes, not inaccessible indeed, but remotely situated as far as American students were concerned. Within the short period of less than four years, this material, indispensable for a proper study of colonial history, has been brought to our shelves and rendered as available as are the printed records of our own colonies. It is difficult to exaggerate the importance of this fact, for although the actual contribution of new information is not great, the contribution of a new point of view and the vitalizing of an historical factor of first rank, the influence of which has never before been appreciated, are of the highest significance.

In the past students have groped in the dark as far as the fundamental principles of British policy are concerned. It is easy to read the leading mercantilist pamphlets, to study the correspondence, as far as obtainable, of the Secretary of State, to search the preambles of the acts of Parliament, and to follow the debates in Parliament, often very meagre, in order to gather from these sources what the British government was really trying to do. But I doubt if in this way one will ever learn the true inwardness of the British position. The rules and precedents, which constituted the traditions of the government and were adhered to with unyielding tenacity to the end, can only be found in the representations of the Board of Trade, in the opinions of the legal advisers of the board and the crown, and in the proceedings of the Privy Council and the departments. It is true that the colonies were not following these precedents or recognizing the authority of these traditions, but the British government was following them and recognizing them as legal, and in so doing was furnishing one of the causes, at least, of the colonial revolt.

For example, by 1763, the colonial assemblies, everywhere and in practically every particular, were exercising the functions and powers of the House of Commons in England. Yet despite this fact, the Privy Council, the lawyers, and the Board of Trade, refused to alter their traditional position that the assemblies were inferior bodies, owing what privileges they possessed to the royal grace and favor, and in no way, either in power or privilege, analogous to, coequal, co-ordinate, or com-

parable with the great legislative body at home. In this respect, and in many others touching colonial laws, finance, appointments, and manufactures, the home authorities were deliberately setting their faces against accomplished facts and were ignoring the actual situation in America. By means of new instructions to the governors and a more rigid application of the royal right of disallowance, they continued to apply rules of control that had practically become obsolete and had long since been repudiated by the colonists themselves. And the important fact is that as the *de facto* independence of the colonies increased, the council, in all that concerned the royal prerogative, was demanding the enforcement of the full letter of the law.

The volume shows also that the Board of Trade maintained its activity as an advisory body to the end, that is, during a period that has commonly been considered one of decline in its functions. Its reports and representations from 1765 to 1782 are long and frequent. The committee of the whole council was likewise an efficient body. I am impressed with the number of hearings to which it gave attention, the details of which are here given (pp. 203-210, 221-222, 248-265, 386-388, 410-415). One of these hearings recalls the famous appearance of Franklin before the committee of Parliament; another supplements admirably the recently published letters of Dennys de Berdt. We see the claims of Jeronimy Clifford still agitated by his executors nearly a century after they originated, thus constituting one of the longest cases on record (§ 15). We see also the final issue of the case of Connecticut *v.* the Mohegan Indians, hitherto unknown, when the council dismissed in 1773 the last appeal of the Indians made in 1769 (§ 133).

A number of useful appendixes complete the series. They contain (1) commissions and instructions to the governors; (2) appointments to colonial councils; (3) acts confirmed or disallowed; (4) items from the Plantation Registers; (5) grants of land; and (6) a fine map of the Island of St. John (Prince Edward Island). Most important of all is the complete list, given in an addendum, of the members of the council from 1613 to 1783 (not "1613-83" as the heading says). This list, filling 173 pages, will be of great convenience to those who need to refer to it for biographical information, or who wish to study the political complexion of the council at any given date.

The preface is written by Sir Almeric FitzRoy, the clerk of the council. It is not only an admirable summary of the general situation and a delightful literary essay, but it contains a number of judicious commentaries upon the leading statesmen, particularly the Duke of Grafton, whose character and ability Sir Almeric wishes to present in a more favorable light. He acknowledges that the duke "was liable to have his judgment clouded by irresolution at critical moments", but offers in extenuation Grafton's extreme youth (not thirty-one) and his belief, stated at the time, "that if his disposition for moderate counsels had been pursued by his successors 'the country would have readily settled all its

disputes with our colonies' and at the same time 'relieved America from the fetters of the old charters'". Furthermore, Grafton was defeated by only one vote in his efforts to include tea with the other articles the duties on which were repealed and, as Sir Almeric says, "Hillsborough betrayed his chief by the omission from the minute communicating the decision to the governors of the colonies of the soothing and conciliatory expressions which the defeated section of the Cabinet obtained their colleagues' consent to introduce." It is fitting that Sir Almeric should give the parting word to a work begun at his own initiation and in which his interest has been maintained to the end.

A sixth volume will follow completing the series and containing material from the uncalendared papers in the custody of the Privy Council as far as the year 1800, when that collection of papers comes to an end.

CHARLES M. ANDREWS.

George the Third and Charles Fox: the Concluding Part of the American Revolution. By Sir GEORGE OTTO TREVELYAN, Bart., O.M. In two volumes. Volume I. (New York, London, Bombay, and Calcutta: Longmans, Green, and Company. 1912. Pp. xi, 311.)

THE historical work of Sir George Otto Trevelyan is most exasperating to the reviewer. One is so carried away with the mere reading of the entrancing pages that one forgets to be on the watch for all those little errors and inaccuracies of statement which are the joy of every true reviewer. Moreover, the author has dwelt with his subject so long, and thought upon it so deeply that what he has chosen to tell us has a certainty and inevitableness about it like a decree of fate. The truth in the large has been so perfectly divined that any error of detail is not of sufficient moment to notice. It is true that there is no doubt in the mind of the reader of this volume, as there has been no chance for dubiety on the part of the reader of the earlier volumes, that a Whig sympathizer has written the history, but he is a generous Whig who can speak with enthusiasm even of George III. in his better aspects as the earnest and devoted defender of his country against the attacks of France and Spain. The Tory Gibbon, too, even in the character of hireling defender of Lord North and his policies, comes in for generous praise and evident admiration. Trevelyan writes like a great man of affairs who has lived in the midst of the political events of which he discourses. He is the familiar of all his heroes and even of his scapegoats. His mind has long been made up about them, and there is no shadow of doubt to cool the warmth of his praises or of his denunciations. His descriptions of Fox send thrill after thrill even through a skeptical, cynical historical investigator who has schooled himself to be suspicious of all literary effects. So, too, is it with the passages about

Burke to the extent that one even accepts the author's assertion that "so full and cultured a mind as Burke's,—so vivid an imagination, and so intense and catholic an interest in all human affairs, past and present,—have never been placed at the service of the state by anyone except Cicero". Biography and politics are so deftly interwoven that the unity of the historical tapestry is perfect. In the drama that passes before the reader Fox and Burke are the heroes, George III., Lord North, and Lord Sandwich are the villains, but the social and economic background is never forgotten in watching the players. There is a fullness of knowledge and yet a restraint in the using of it which assures us that, though we are left in darkness as to many stupid things that happened in that age, yet the author knew about them and spared us.

In its mere rhetorical aspects the writing is a model of what historical composition should be. The balance and the sweep of the sentences seem never to be attained at the price of truth. The witty turns, the clever epigrams, which from a man of cruder literary sense would destroy our confidence in his scholarly integrity have no weakening effect on these delightful pages. Who can find fault if the solemn historical muse smiles for a moment while it relates of Fox that "even during the bustle of the American controversy he contrived to get through an enormous amount of reading in that bed which he sought unwillingly towards daybreak, and left with all but insuperable reluctance at two in the afternoon". And again, "He was not in, but above the fashion; and the world,—overstocked as it always has been, with dandies and coxcombs,—liked Charles Fox all the better for his inattention to outward appearance." At least in these pages we are never annoyed by the snore of the historical muse. Moreover, though the author is not uninitiated in rhetorical devices, these never obtrude upon our attention, so perfect is the art. The very digressions, almost as numerous as in *Tristram Shandy*, which sometimes lead us far from the theme in hand, do not displease for a new interest replaces the one we have abandoned for a time.

It is almost ungracious to criticize what has given us so much pleasure, but it must be said of this volume, as of the whole work, that in the main it is a history of England in the time of the American Revolution. Many of the most vital questions of the American history are unanswered—the liberal movement, the struggle between seaboard and back country, the rise of constitutional theories, and industrial and social movement, receive at best but a passing notice. There is a want of acquaintance with some very important monographs on the American questions and too much reliance upon Fiske and Lossing. "Edward M'Cracken" (p. 265) should be Edward McCrady. The assertion that Pitt's requisitions upon the colonies during the Seven Years' War "were met with prompt and eager obedience" meets with complete refutation in E. I. McCormac's *Colonial Opposition to Imperial Authority during the French and Indian War*.

C. H. VAN TYNE.

Geschichte des Europäischen Staatensystems im Zeitalter der Französischen Revolution und der Freiheits-Kriege (1789-1815). Von ADALBERT WAHL. [Handbuch der Mittelalterlichen und Neueren Geschichte, herausgegeben von G. von Below und F. Meinecke.] (Munich and Berlin: R. Oldenbourg, 1912. Pp. viii, 266.)

THIS is the twelfth volume of a series which began in 1903 with the publication by Dr. Schultze of *Das häusliche Leben der Europäischen Kulturvölker*. Like the other volumes that have appeared, the present work is intended for the specialist, the student of history, rather than for the layman. This does not imply, however, that we have here a new contribution based upon research in primary sources; it is rather a new presentation of the international history of Europe for this period based upon a careful correlation of the best secondary authorities by a competent and thorough scholar. Indeed the work becomes at times too academic in this respect. There is not a moot question of importance from the origin of the revolutionary wars to the question as to who set fire to Moscow, that is not seized upon with avidity as an opportunity to pit and balance authorities against each other.

In regard to the former Dr. Wahl agrees with von Sybel in attributing the war entirely to the Girondists. Ranke and those who follow him are wrong, he contends, when they ascribe it to the antagonism between the principles of the Revolution and Old Europe. Glagau's recent efforts to ascribe a large share of the cause to Vienna he regards as quite unsuccessful, while the influence of the king and queen seems to him negligible, "können gar nicht niedrig genug eingeschätzt werden" (pp. 31-33).

To Napoleon Dr. Wahl is unwilling to concede quite so large a space in his canvas as is usually done. He declines to see in him the "Eroberer- und Heldennatur", the superman, recently presented again to English readers in Mr. Hardy's *Dynasts*. Nor does he agree with the conception represented by Professor Lenz (*cf.* Max Lenz, *Napoleon*, Bielefeld, 1905), which looks upon Napoleon as the "child of fate", the heir of the Revolution who could not have acted otherwise than he did. Both conceptions, Dr. Wahl considers misleading. He finds the central theme, the dominating factor of the titanic struggle of these years, in the national and race psychology. "Der Hauptinhalt der Staatengeschichte der Jahre von 1792 bis 1815 ist eine gewaltige Auseinandersetzung zwischen dem revolutionären Frankreich und den wichtigsten Staaten des übrigen Europa" (p. 34). Herein too can be seen the explanation of the fact that the title makes no mention of Napoleon. The climax of Napoleon's power the author places in 1807 after Tilsit rather than three or four years later as is usually done. This enables him to introduce earlier and with greater emphasis the uprising of the nations, which he regards as the really dynamic force of the age.

The index is exiguous, giving only names of men and places. On the other hand the general bibliography as well as the special bibliographies for each division are up to date and selected with discrimination and judgment. A notable exception occurs in the omission of Mahan's works. Indeed a little familiarity with Mahan would have been a safeguard against speaking of the United States as an ally of Napoleon—"mit Napoleon im Bunde" (p. 201). It would also have secured more adequate treatment of the Baltic trade and its part in disrupting the system of Napoleon, thereby leading to the final catastrophe of which Wahl himself says, "Der Untergang der Grossen Armee in Russland ist das für die politischen Verhältnisse des Kontinents entscheidende Ereignis des ganzen Zeitalters" (p. 220). But in spite of certain objections, which a volume raising so many polemical questions is sure to occasion, the fact remains that the work has exceptional merit, adequately filling the place for which it was intended.

WILLIAM E. LINGELBACH.

A History of the Peninsular War. By CHARLES OMAN, M.A., Hon. LL.D. Volume IV. December, 1810–December, 1811. *Masséna's Retreat; Fuentes de Oñoro; Albuera; Tarragona.* (Oxford: Clarendon Press. 1911. Pp. xiv, 664.)

THE painstaking scholarship and the keenness of critical ability displayed in the successive volumes of Professor Oman's masterpiece assure it a place among the most notable contributions to the history of the Napoleonic era. The reader may continue to turn to the more glowing pages of Napier, but the student will consult Oman for the most scrupulously accurate account based upon the most complete researches. The literature and the archives of England, France, Spain, and Portugal have been worked through, valuable manuscripts in family archives have been ferreted out, such as the papers of D'Urban, Beresford's chief-of-staff, and of Scovell, Wellington's cipher-secretary; and nearly every important scene of action has been travelled over. With convincing certainty, Napier is corrected, the memoirs of Thiébault and Marbot are proved glowingly inaccurate, Masséna's chief-of-staff, Fririon, and his biographer, Koch, are repeatedly brought to book; and the despatches of the emperor himself are checked by the cold facts. Sixteen excellent maps and plans, abundant foot-notes, twenty-four appendixes of minutely accurate data of numbers engaged and lost, a good index, and marvelously careful proof-reading, testify to the indefatigable thoroughness of research and lavish care in the book-making by both author and publisher.

Abundant attention is given to the captures of Tortosa and Tarragona by Suchet, of Figueras by Macdonald, to the English attempt to break up Victor's siege of Cadiz by the battle of Barrosa, and to the multitude of minor operations, of which the most brilliant was Hill's

destruction of Girard's division at Arroyo dos Molinos. The main interest, however, is rightly centred on Wellington's recovery of Portugal, Masséna's retreat from Santarem to Salamanca, his attempt to redeem himself at Fuentes de Oñoro, and his supersession by Marmont, the campaigns of Soult in Estremadura with the three sieges of Badajoz and the dearly won victory of Beresford at Albuera, and the deadlocks near Badajoz and Ciudad Rodrigo during the latter half of the year mark the transfer of the offensive from the French to the English which was signalized by Wellington's capture of Ciudad Rodrigo which opened his victorious campaign of 1812.

In the year 1811 the Napoleonic power was apparently at dead centre. It is the least eventful year of the epoch, for Napoleon at forty-two, after fifteen years of ceaseless activity, seems to have given himself a sabbatical year. The empire was at its widest extent; the Napoleonic system, now in full working order in both army and civil service, was left to the charge of subordinates; England alone, as in 1798, in 1801, and in 1808, stubbornly contested its supremacy; the birth of the King of Rome on March 20 was the moment of supreme ecstasy. Ten days later the knell had sounded, for in this year England was at last able to pit its armies against those of Napoleon, and Foy had brought the news of Masséna's retreat from Santarem. The emperor's comment on the news forestalled the inevitable question: "*Le Portugal est trop loin: je ne peux pas y aller; il faudrait six mois. Pendant six mois tout est suspendu: l'Europe est sans direction: les Russes peuvent se déclarer, les Anglais débarquer au nord.*"

The political situation was the key to the war, and this Professor Oman has admirably elucidated in the chapter on King Joseph and his Troubles. As the Russian campaign and the conspiracy of General Malet proved in the next year, the burden of empire required the emperor at the capital. Without the railroad he could not go to Portugal, and without the telegraph he could not properly direct operations there. His orders were six weeks out of date when they reached Marmont or Soult. Joseph could not be given independent responsibility, and no marshal was competent for the supreme command. Six independent, jealous commanders directed the operations of the 350,000 troops in the Peninsula. Napoleon, says Oman, "never thoroughly comprehended the way in which the movements of his armies were delayed by the fact that they were moving in a country where every peasant was their enemy, where provisions could only be collected by armed force, and where no despatch would reach its destination unless it were guarded by an escort of from 50 to 250 men. . . . Wellington . . . had written as early as 1809 that the enemy could not turn him out of the Peninsula with anything less than 100,000 men, and that he could make such arrangements that an army of that number could not live in the country." The retreat of Masséna, and the failure of the attempted combinations of Soult and Marmont before Badajoz, and of

Marmont and Dorsenne before Ciudad Rodrigo proved Wellington's point.

When the campaign of 1812 opened, Wellington for the first time had the whip-hand, with results no less ruinous for Napoleon than the Russian blunder. Professor Oman's fifth volume covering the climax of the war will be awaited with impatient interest.

GEORGE MATTHEW DUTCHER.

Constitutional History of England since the Accession of George the Third. By the Right Honorable Sir THOMAS ERSKINE MAY, K.C.B., D.C.L., edited and continued to 1911 by FRANCIS HOLLAND. In three volumes. (London, New York, Bombay, and Calcutta: Longmans, Green, and Company. 1912. Pp. xvi, 468; xiii, 441; xvii, 398.)

In the title above, volumes I. and II. comprise what has been known for many years as May's *Constitutional History of England, 1760-1860*. The text, except for a few additional notes by the editor, is Lord Farnborough's last revision of his original work. Volume III. is the "continuation" by Holland, and covers the period, 1860-1911.

The appearance of a work in this form raises a question in the ethics of continuations. It will be admitted that a monastic chronicle, an annual register, or a series of law reports are capable of being continued. Can the same process be applied to an author? Now to students of historical literature, May's *Constitutional History* is not a colorless, impersonal compilation, but the work of a distinctive author; and even though its substantive value should depreciate, it will remain, probably for some generations, a pleasing monument of early-Victorian Whiggery. As such, it deserved to be left by itself. However justifiable the motives of the publishers, or of Mr. Holland, may be in presuming to put out a continuation, the result cannot be deprecated too strongly as a display of literary violence from which Lord Farnborough might have been spared. Far better would it be for Mr. Holland to have written independently, and to have offered us for the period a separate work of his own, free from the ambiguous association of a great name.

The reasons for urging a criticism on these grounds are more than formal: they are based upon the evident lack of a common purpose between Lord Farnborough and his "continuator". Lord Farnborough, eminently judicial and moderate, wrote with great care for scholars and students: Mr. Holland, with the clever touch of a journalist, almost disdaining foot-notes and citations, writes for the general reader. He thus places himself not only in striking contrast to his predecessor, but also beyond the range of serious critics.

This aside, however, his work has certain very conspicuous merits. It is not only well, but even brilliantly written: some of the single par-

agraphs devoted to subjective descriptions of recent statesmen are among the best of the kind to be found anywhere. The prevailing attitude is that of a Free-Trade Liberal Imperialist, looking somewhat askance at Gladstone, and practically ignoring Lloyd George. A rather undue amount of space is allotted to the Parliament Act of 1911; which leads us to conclude that the book was prompted by the excitement of that constitutional dispute. Certain omissions are noticeable: for instance, the lack of any adequate discussion of the recent socialist movement among the ranks of unskilled labor—or of any discussion of tendencies in legislation dealing with social reform, such as the widening scope of the London Education Authority. In a journalist, it is perhaps a pardonable error to suggest (p. 213) that the tradition of the Whigs has been unfriendly to the Church: in reality, the reverse is the case; it is the tradition of the Church that has been unfriendly to the Whigs. For the very reason that it was written for the general reader, volume III. could be used as an introduction to the study of recent English history; and in this respect, as well as for purposes of review, it ought to be very valuable.

C. E. FRYER.

Männer und Zeiten: Aufsätze und Reden zur neueren Geschichte.

Von ERICH MARCKS. Bände I. und II. (Leipzig: Quelle und Meyer. 1911. Pp. ix, 340; 314.)

THOSE who still talk of German historical writing in the vocabulary of Carlyle as the work of Professor Dry-as-dust, piling fact on fact without any attention to their significance, are sadly out of touch with contemporary historical work in Germany. The present-day German historian writes general history, organizes co-operative productions both narrative and bibliographical, contributes diluted history for the masses to illustrated periodicals, furnishes historical reasons for larger fleets and more colonies, and explains to statesmen and to his countrymen the real reasons for the present renaissance of eighteenth-century diplomacy. He is even beginning to furnish his books with indexes and to insist that the library where he works should have card catalogues. Not the least interesting indication of the changing character of German historical writing is the freedom and frequency with which historical essays and addresses are made into volumes and evidently find a publisher and a public ready to receive them.

Professors Lenz, Hintze, Heigel (in six volumes), Delbrück, and now Professor Marcks, are the latest entries under "Gesammelte Abhandlungen" in Dahlmann-Waitz and every entry under this caption dates since 1870. If the events of that year taught the French the value of German *Gründlichkeit*, the Germans are no less indebted to their opponents for lessons in *haute vulgarisation*.

The stout volumes of Professor Marcks are the occasional products of the last twenty-five years, republished in unchanged form—that it

would have destroyed something of their historical value to have modified them, is the reason assigned. Though exceedingly miscellaneous in character, including book reviews, a traveller's letter after a visit to La Rochelle, and the diary of a visit to Bismarck in his last years, this material and the distinctly historical essays, delivered as lectures, are evidently the by-products of two lines of historical study pursued by Professor Marcks. As a young man he began an elaborate biography of Coligny, only one volume of which appeared. With this work which gave him an insight into the latter half of the sixteenth century may be associated the addresses on Philip II. of Spain, Gaspard de Coligny, Coligny and the murder of Francis de Guise, the age of the Religious Wars, etc. Of these the best is the inaugural lecture, as professor of history at Heidelberg, on Philip II. It contains nothing new to those who are familiar with the work of Martin A. S. Hume but it is a masterly sketch of a personality and the age and nation of which Philip was the hero. The essay on Coligny and the murder of Guise is a clear and convincing refutation of the view presented by Kervyn de Lettenhove while it makes evident how much Coligny was part of his age when he condoned the deed after it was done.

The second volume centres around the subject of Marck's study in his maturer years, the biographies of Bismarck and William I. Four of the studies have to do directly with Bismarck. The first, on Bismarck and Goethe, is the inevitable sort of thing when a student of Bismarck is called to address a *Goethe-Gesellschaft*—two men, two ages, little in common except aristocratic feeling and the German language. The others, written about the time of Bismarck's death, are so surcharged with feeling that one can only attribute value to them as historical documents and as contrasts to the objectivity and power of Marcks's later studies of the same subject. The best study in this volume is the sketch of Albrecht von Roon, the noblest Prussian of them all, embodying the best of the old Prussia and unable, even unwilling, to leave it for the greater future promised her as part of the new empire.

The interest and the chief value of these two volumes is the exhibition of Professor Marcks's pre-eminent skill in sketching a great figure in all its individuality and yet as the product and the epitome of the age or the movement with which the subject is associated. These are not essays on the method or philosophy of history but substantial demonstrations. One lecture is such as he delivered in a course, one is his first lecture as a *privat-docent*, and one his professional inaugural. They give a good view of a high type of German historian at his trade, not of controversialist, but of teacher and investigator. They are typical of Professor Marcks and explain why no other living German historian, with the possible exception of Professor Schmoller, is so universally respected by his colleagues, to whatever "school" of history they may belong.

Besides the material to which attention has been called there are

necrological sketches of Dahlmann, Sybel, Treitschke, and Mommsen, so written as to be contributions to the historiography of the nineteenth century. Four essays have to do with European politics. They smack strongly of the agitation for a larger navy, while throwing light in a friendly way on the relations with England, the rise of imperialism, and the Austro-German alliance. They will be of more value to the historian of a later day than they are to one of the present. There is, of course, the almost inevitable essay on "1848", somewhat antiquated in its facts but sensible in its interpretation.

It is a considerable service to have the best of these fugitive essays put in convenient form but a more rigid standard in selection would not have detracted from the value of the volumes.

GUY STANTON FORD.

Memoirs and Letters of the Right Hon. Sir Robert Morier, G.C.B., from 1826 to 1876. In two volumes. By his daughter, Mrs. ROSSLYN WEMYSS. (London and New York: Longmans, Green, and Company. 1911. Pp. xi, 418; vii, 418.)

BORN in 1826 and graduated at Oxford in 1849, Robert Morier began his diplomatic career in 1853 as unpaid attaché to the British Embassy at Vienna. In 1859 he was transferred to Berlin, and during the next seventeen years he held minor posts at various German capitals. The slowness of his promotion would cause surprise, did we not know that in the British diplomatic service the high places went then either to great nobles or to special favorites of the crown or the cabinet. Morier was neither, although the queen and Lord John Russell liked him and he had many warm friends among the aristocracy. But he lacked the art of self-seeking which so often outstrips mere merit in the race for honors; and so it happened that his very remarkable talents and unmatched special knowledge had to wait long for official recognition.

It is his familiarity with German politics, including Austrian, for the quarter of a century preceding 1876, that gives his *Memoirs* their almost first-rate historical importance. At a time when the English despised the Germans and were proud of knowing nothing about them, Morier was studying them most sympathetically and making acquaintances and friendships among them. He came thus to know not only the history of the Old Germany, but the men who were working in different ways to create the New Germany.

His *Memoirs* supply material of two kinds which the student of the founding of the German Empire will find valuable. First, there are monographs or Foreign Office despatches in which Morier describes for the benefit of his superiors the points involved in some of the great questions that arose during the late fifties and the sixties. Next, there are his private letters, containing off-hand criticism of men and events at the time of writing. He was among the earliest to recognize the genius

of Bismarck, "one of the most sinister characters in history", and to deplore, as Bismarck advanced from victory to victory, that the United Germany "worthy of the soul of Goethe, Schiller, and Kant", which the Liberals had dreamed of, was, instead, a wonderful military machine engineered by Authority and not by Liberty.

Morier's many references to Bismarck are of capital importance. It is a proof of his own worth that, although officially he was only a diplomatic attaché, the inexorable Prussian took notice of him and worked to get rid of him. This was not only because Morier was a Liberal, but because he was a friend of Crown Prince Frederick and Princess Victoria, whom Bismarck suspected of attempting to Anglicize Prussia. When we remember that only a few years before the English had worked themselves into a frenzy over Prince Albert's alleged attempts to Germanize England we shall see the humor of the situation.

Morier's later service was at Munich, where he passed the years 1872-1876. The chapters bearing on the war of 1870, the German Empire, the beginnings of the *Kulturkampf*, and Bismarck's frustrated war scare of 1875 abound in interesting statements and comments, made by an expert behind the scenes.

Mrs. Wemyss has selected from her father's correspondence chiefly the material that bears on his political career. But there are enough extracts of a more personal nature to reveal to us the man himself. He had not only a strong and logical intellect but also affectionateness and charm that endeared him to some of the most eminent men of his time. He possessed courage to the verge of indiscretion, as when in his pamphlet on the Danish Question he satirized his English fellow-countrymen for their habit of not condescending to know what foreign nations thought or did. He was magnanimous, because, as he told Layard, he allowed himself to be boycotted by the Foreign Office for eight years on account of this same pamphlet which he wrote at Lord Russell's suggestion. Before it was printed, however, Russell reversed his policy, and the Foreign Office treated Morier as guilty of treachery to his chief. Why Russell permitted this injustice to continue, we are not informed. We hope that Mrs. Wemyss will give, in a sequel, the story of her father's later career, at Lisbon and St. Petersburg.

WILLIAM ROSCÖE THAYER.

BOOKS OF AMERICAN HISTORY

The American People: a Study in National Psychology. By A. MAURICE LOW, M.A. Volume II. (Boston and New York: Houghton Mifflin Company. 1911. Pp. vi, 608.)

THE second volume of Mr. Low's work, like its predecessor, is composed of a collection of chapters, each one an independent essay upon the historical origin of some feature of American life or thought. Its

foundation, apart from the author's personal observation, is a bibliography in which are gathered works of all descriptions from text-books to historical monographs and miscellaneous writings on science. As an observer of contemporary American social life Mr. Low shows a keenness and shrewdness which render his comments interesting and sometimes suggestive. He is particularly concerned with the social and psychological effects of immigration, and in several chapters he argues with great vigor to maintain the thesis that it is an unmixed blessing to both the native-born and the immigrant. Whether his treatment of this subject is sound is a matter for the statistician and the anthropologist to consider rather than the historical critic. At all events it seems to coincide with the beliefs of a class of writers with which Mr. Low seems entirely unacquainted, namely, the present-day social workers. But whenever the author turns from existing conditions to the quest of historical origins he enters a field where no amount of keenness in observation can remedy the lack of broad historical preparation. To account for existing conditions Mr. Low restates history to suit himself, omitting whatever does not interest him, and dwelling with continual reiteration upon a few formulae. There is not an atom of real historical criticism, nor of the weighing of authorities or of evidence, in the whole volume. The sole method is to "make points" by the use of telling epithets and striking generalizations, regardless of the precise historical basis. To subject such a form of writing to criticism is a waste of time, for Mr. Low's conclusions, whether true or false, are so patently founded on scanty historical knowledge as to be of little value. It would be easy to fill pages with examples of sweeping generalizations which demand great modification to render them other than absurd. He says of the equal representation of the colonies in the Union of 1643 without regard to the size or population, "This is peculiarly an American political principle. It was as foreign to English ideas then as now." Any one who realized how the House of Commons was composed until the last century could never make so fictitious a claim. Again, "After the Revolution the South had a greater attachment for England than it had for the North or than the North had for the mother-country." It would be difficult to frame a more thoroughly incorrect statement. Again we are told that after the Civil War "the North dealt with the South in a broad spirit of generosity and friendship; the South, a conquered people, at the mercy of their conquerors, suffered no humiliation". These examples are not exceptional they are typical. A further evidence of the inadequacy of Mr. Low's treatment of historical origins is his failure to comprehend the meaning of the westward movement and its bearing on American life and his failure to allude to the development of American governmental methods or American political parties as an influence in developing national psychology, while harping continually on "the Puritan". In fact the book in style and manner reminds the reader irresistibly of the current newspaper literature. It is all smart, clatter-

ing, assertive, consciously original in thought, desirous always to be dethroning some idol, even if it be necessary to erect one of straw for the purpose. To be considered a serious analysis of American history it has not the slightest claim.

Korte Historiae ende Journaels Aenteyckeninge van verscheyden Voyagiens in de vier Deelen des Wereldts-Ronde, als Europa, Africa, Asia, ende Amerika gedaen. Door D. DAVID PIETERSZ DE VRIES, Artillerij-Meester van de Ed: M: Heeren Gecommitteerde Raden van Staten van West-Vrieslandt ende 't Noorder-Quartier. Uitgegeven door Dr. H. T. COLENBRANDER. ('S-Gravenhage: Martinus Nijhoff. 1911. Pp. xliv, 297.)

THIS volume, which is the third in the series of Dutch voyages published by the Linschoten Society, contains a reprint of the rare journal of David Pietersz de Vries, which has the distinction of being the only extensive narrative of personal experiences in New Netherland from the hand of a man who at different times had a prominent share in the colony's affairs. The value of this journal as an historical source has been duly appreciated by American historians; Brodhead and other writers of New York history have made extensive use of it and translations of the parts that are of special interest to the American student have been made available in the *Collections of the New York Historical Society* for 1841 and 1853 and again, in revised form, in J. Franklin Jameson's *Narratives of New Netherland*. The present volume for the first time makes readily accessible the original text, not only of the author's three voyages to America, which took place between 1632 and 1644, but of the accounts of four earlier voyages undertaken between 1618 and 1630 to the Mediterranean, Newfoundland, La Rochelle, and the East Indies. Though the accounts of these four voyages have little independent historical value, they are of interest because they contain practically all that is known of de Vries's early life and help to put us on our guard against his frequent inaccuracies of statement and his possible bias of judgment as a man who at an early stage in his career suffered financial loss at the hands of the West India Company. In an admirable introduction Dr. Colenbrander furnishes an interesting comment on the essential features of the successive voyages and dwells at length on the dispute between de Vries and the West India Company concerning an intended but frustrated voyage to Canada, regarding which the editor was able to gather many important data from the archives of the West India Company and the States General. With regard to the author's life, the editor confines himself to the facts that appear in the journal itself, no attempt having apparently been made to search the notarial archives for contracts or other material that might throw light on the relations between de Vries and his partners in the various trading or colonizing expeditions. In the notes, as far as the

parts relating to New Netherland are concerned, the editor seems to have followed largely the *Narratives of New Netherland*, even to the point of copying on page 250 the typographical error of Claes Smits for Claes Swits. On pages 260 and 261 the editor points out two errors of translation; on page 223 he omits to note de Vries's mistake in referring to Andries Hudde as *Heyndrick Hudden*, who died in the East Indies. In addition to an excellent reproduction of the portrait of de Vries and reduced facsimiles of the original illustrations, the volume contains two maps, of which one is a compilation from van der Donck's map of New Netherland and the other a reproduction of a small manuscript map of Delaware Bay, entitled "De Zuid-Baai in Nieuw-Nederland", which is found in the Royal Archives at the Hague.

v. L.

The Indian Tribes of the Upper Mississippi Valley and Region of the Great Lakes as described by Nicolas Perrot, French Commandant in the Northwest; Bacqueville de la Potherie, French Royal Commissioner to Canada; Morrell Marston, American Army Officer; and Thomas Forsyth, United States Agent at Fort Armstrong. Translated, edited, annotated, and with bibliography and index by EMMA HELEN BLAIR. In two volumes. (Cleveland: The Arthur H. Clark Company. 1911. Pp. 372; 412.)

GROUPED under this general title, Miss Emma Helen Blair has included material of first importance to students of the customs, character, and beliefs of the North American Indians. For nearly two centuries, the *Mémoire* of Nicolas Perrot slumbered in manuscript. It was printed in 1864 by Father Jules Tailhan, with voluminous notes and comments. Except a few extracts which Miss Blair translated for the *Wisconsin Historical Collections*, comprising some sixty pages, and some fragments used by the Rev. Chrysostomus Verwyst in his *Missionary Labors of Fathers Marquette, Menard, and Allouez* (1886), no English translation existed of this valuable narrative by the most noted of the Canadian *courcurs de bois*. In 1716 there was published for the first time La Potherie's *Histoire de l'Amérique Septentrionale*. The second volume of this work, which has become rare, Miss Blair has also translated into English, crediting the surmise of many scholars that the material therein was derived from a last memoir of Nicolas Perrot. These accounts, contemporaneously written, though published with an interval of 148 years between, have been supplemented by the narrative of Major Morrell Marston, U. S. A., written in 1820 while commanding Fort Armstrong, the site of the present city of Rock Island, Illinois, and Thomas Forsyth's account of Indian manners and customs seen by him as government agent in 1827 to General William Clark, then superintendent of Indian affairs. Both narratives are printed from the original

manuscripts in the possession of the Wisconsin Historical Society, and the latter has never had prior form in print. Both relate principally to the Sank and Fox nations, which for two centuries were vitally concerned with the events in the exploratory era and period of settlement of the Upper Mississippi Valley. By means of appendixes comprising material from various sources unrelated to these documents, and with extensive annotations provided by herself, the editor has endeavored "to bring the work down to the present day, and render it a connected and homogeneous whole".

If this purpose, difficult of achievement because of the character and sources of the materials welded together, has been realized with indifferent success, there is certainly no doubt as to the great service which has been rendered to students of American history by the publication in available form and in excellent English translation of these source materials. For a quarter of a century Perrot was thrown into constant and intimate association with the Indian tribes then inhabiting the region of the Great Lakes, and as keen observer and interested participant was enabled to record impressions and experiences illustrative of every phase of Indian life. The creation myths, superstitions, marriage and funeral customs, wars undertaken, tribal relations, religious beliefs and customs, social organization of the Indian tribes, as well as the character of the Indian men and women, are treated with a wealth of detail, and frequently with picturesque setting. In the region principally traversed by Perrot, there were no white men prior to 1634, and the Indians remained practically uninfluenced by contact with Europeans until nearly half a century later. It is interesting, therefore, to compare the descriptive narrative of Perrot with the accounts which follow, treating the same subjects as they impressed observers nearly a century and a half later.

Miss Blair, who died while this work was in course of publication, spared neither labor nor space in illuminating the original narratives with generous notes and annotations. In her editorial work as well as in the matter of the translations from the French, she profited from the valuable experience gained as chief assistant to Dr. Thwaites in the editing of the *Jesuit Relations*, which covered a parallel field thoroughly familiar to her as an investigator and student during many years of preparatory research. Of fairly equal value with the memoirs, therefore, are the valuable gleanings appended in foot-notes and appendixes, given with fullness and at the same time with scholarly discrimination.

In the appendix are included a biographical sketch of Nicolas Perrot, condensed from the notes of Father Tailhan; selections from the writings of modern ethnologists; letters from missionaries, descriptive of present-day conditions among the Sioux, Potawatomi, and Winnebago tribes; and a general list of printed books and manuscript sources serving as a bibliography of the subject. An excellent index of the entire work concludes the final volume.

American Colonial Government, 1696-1765. A Study of the British Board of Trade in its relation to the American Colonies, Political, Industrial, Administrative. By OLIVER MORTON DICKERSON, Ph.D., Professor of History, Western Illinois State Normal School. (Cleveland: The Arthur H. Clark Company. 1912. Pp. 390.)

WHEN we consider that no scholar would think of writing on French or Spanish colonial history without thoroughly familiarizing himself with the system of central organization and control in France and Spain, it is surprising that the idea of investigating the organs of British control, before dealing with our colonial history, seems never to have occurred to any of our older writers. The first published records of a British executive body have appeared only within the last four years, and the first printed work treating exclusively of a British organ is that which is the subject of this review.

The appearance of Dr. Dickerson's account of the organization, functions, and work of the Board of Trade has brought to an end a period of waiting for a work that has been conspicuously and urgently needed. As long as the career and influence of the one directing agency in England that had under its supervision affairs relating to trade and plantations remained little more than a name, American history in its earlier phases was bound to be in large part a tale of individual colonies or a topical account of unrelated activities. Colonial history thus treated lent itself readily to over-detailed descriptions and to exaggerated estimates of many features of colonial life that future historians will relegate to the background. Under the older form of treatment no proper point of view could be obtained whence colonial events could be seen as identical phenomena grouped by their connection with a common governing authority, and no adequate opportunity could be found for that comparative study of all the colonies, without which estimates and valuations can never be accurately determined. To understand at least three-quarters of the incidents and happenings of colonial history demands that we view them from the standpoint of Great Britain; the remaining quarter is open to interpretation in the light of the rise of an American republic and nation. Needless to say, the ratio has been more than reversed in the past.

Dr. Dickerson has written a history of the Board of Trade from its establishment in 1696 to the year 1765, a date, it may be observed, which has no special significance as far as the history of the board is concerned. He has presented his subject in all its aspects, dealing with the organization and personnel of the board, its relation to other departments of administration, the difficulties it encountered in administering colonial affairs, the features of its imperialistic policy, its treatment of colonial legislation, and its policy toward boundaries, trade, defense, and Indian affairs. His range is wide and his survey is practically complete, as far

as the distribution of subordinate subjects is concerned. He has omitted nothing of prime importance, though occasionally his allotments of space are open to criticism. The relations of the board with other departments might have been presented at much greater length, while his discussion of the Privy Council committees, the results of which were anticipated quite independently two years ago, might have been reduced to a paragraph.

The writer has done his work exceedingly well. He has searched patiently the Board of Trade papers and entry books, the register of the Privy Council, and the Newcastle Papers in the British Museum. He has also made effective use of the printed material on this side of the water. His attitude is that of the careful and cautious scholar, his judgment on men and affairs is sound, and his insight into the nature and tendencies of colonial control in England is in the main clear and true. His description of the Board of Trade, taken in conjunction with Miss Clarke's recent essay on "The Board of Trade at Work" (*AM. HIST. REV.*, XVII. 17), throws light into places hitherto dark, and gives life and reality to an institution that has never had in the past much meaning to students of our history. He makes it abundantly clear that the board had a definite policy and one that might have been effective had it been sustained in high quarters. Even in his incomplete statement of the relation of the board to the other departments, he is able to indicate many defects of co-operation and mutual support. The failure of Parliament, the executive and ministerial authorities, and the minor departments and boards, to act in unison is one of the most striking features of British administration at this time.

I think that Dr. Dickerson has misunderstood and therefore exaggerated the board's "subordination" to Newcastle, and has construed the periods of the board's efficiency in terms rather of authority than of mere activity. Except in the matters of appointment and of correspondence, both of which were within the range of his regular business, Newcastle's interference, though annoying, curtailed but little the legal functions of the board. I cannot find that Newcastle ever drafted a governor's instructions. The board could protest vigorously against his attempt to control appointments, and the Privy Council could order the board peremptorily to communicate directly with itself, which was not only the "common practice" (p. 109), but the only proper practice. The board, not a division of the secretary's department (p. 107), was never a committee of the council (p. 81), even when first organized, nor was it ever invited to attend cabinet meetings (p. 111), for the committee of the whole council was never the "cabinet council" (p. 85). The board made many reports that were not specifically called for (p. 47), and certainly was not accustomed to send the names of all colonial councillors to the Bishop of London for his approval (p. 124). In a number of minor particulars Dr. Dickerson has made exaggerated or mistaken statements, as in saying that many colonial governors "had no intention of doing

anything more strenuous than drawing their salaries", that there was no packet service till 1755, that Rhode Island ever sent over her laws for inspection, that governors' vice-admiralty commissions came directly from the Admiralty, or that conflict between a colonial law and the law of England was considered sufficient ground for repeal. But most of these slips must be passed by, as they count for little against the genuine merits of the work.

The most serious blunder lies in the choice of a title. The work has nothing to do with "American Colonial Government". The contents are accurately expressed only by the subtitle. It is a pity that the author has not carried his subject to 1782, for he has omitted an extremely interesting and important period in the history of the board.

CHARLES M. ANDREWS.

The First American Civil War: First Period, 1775-1778, with chapters on the Continental or Revolutionary Army and on the Forces of the Crown. By HENRY BELCHER, Rector of S. Michael-in-Lewes, Sussex. In two volumes. (London and New York: The Macmillan Company. 1911. Pp. xxiv, 350; viii, 364.)

THIS work is plainly written as an antidote to Trevelyan and other "Whig disciples of Clío", to use Mr. Belcher's own phrase. It seeks "to probe the weakness and the futilities of the Bancroft school of history". But why this second operation after the one so skillfully performed by Sydney George Fisher? It suggests incompetent diagnosis. We are only moved to mirth like that of the Swedish hero of a well-known modern fable. The whole work is argumentative in character and not historical either in spirit or construction. The author has not searched for the truth so much as for facts with which to confound the Whigs. Truth is desirable as an ornament, but sarcasm is indispensable. American ancestors, he declares, figure in American histories "as clad in shining garments and with features not merely deftly coloured, but enamelled with chipless enamel". Yet when he wishes to establish unpleasant facts about America's past, his particular joy is to convict the Americans out of their own mouths by quoting Roosevelt, Lodge, "Professor Sloane, of Princeton", and Sydney George Fisher, whose book is a perfect gold-mine for this seeker after Yankee defects. Mr. Belcher has a fine nose for the carrion of Whig outrages, and his researches in this direction are remarkably complete if not critical. His use of history for argumentative purposes leads to digressions worse than those of *Tristram Shandy*. Although the second volume brings the history down only to the close of Burgoyne's campaign, yet the treaty of peace appears on page 23 of the first volume. Up and down American history he rages from Pocahontas to Roosevelt seeking facts to support his adverse opinions. After the siege of Boston, he brings the scene of the war to New York by going back to the Stamp Act, and coming on for a time,

he again harks back to Captain Kidd to whose example he attributes the character of the waterside population in New York during the Revolution. Soon the demands of his argument bring him up to present-day New York and its large Jewish population. Then he hastens back to Hendrick Hudson, while he traces the causes of New York's peculiar attitude toward the Revolution. A diagram tracery of his advance and retreat on the field of history would resemble the diagram of a hard-fought foot-ball game. He rakes New England's history from Salem Witchcraft to the destruction of Hutchinson's mansion in order to convict its worthy Puritans of intolerance, riotous conduct, and hypocrisy. Grim pleasure is taken in the assertions that it was death to say mass in New England, that Indians were burned alive for heresy, that Faneuil Hall was built by a slave-trader, that the Mayflower began as a whaler, then bore the Pilgrims to America, and ended as a slaver. He twits Massachusetts with slavery, and particularly loves to rail at John and Samuel Adams and Benjamin Franklin. He never fails while "beating the bones of the buried" to take a fling at Cromwell. The "lurid rhetoric of the Declaration of Independence" does not, of course, escape his sneer, nor does the "fuss" over the Boston Massacre. The Spanish Fury, the Massacre of St. Bartholomew, the Sicilian Vespers have not altogether "loosened so many capable tongues". This is but one of the many cases where Mr. Belcher's exaggeration becomes merely amusing, for while there is much sarcasm and some wit, there is no sense of humor. Some sharp criticisms are all too true but there is no sympathetic understanding of the frontier conditions which account for many of the worst evils. The author expects the conduct of a Chesterfield from the rude dweller on the margin of America's forests. Of actual error there is no great amount. The date of the Albany Congress is not 1753, Portsmouth (where the Russo-Japanese treaty was made) is not in Maine, there is obviously no proof for the positive assertion that not one-tenth of the tea imported to America paid duty, a statement by Walker, in the *Making of the Nation*, is not "irrefutable proof". Now and then, for a tricky word the author defies the matter, as when he defines the Committees of Correspondence as "secret vigilant societies of the Mafia type". Finally he misses entirely the most important phases of the American Revolution, the great revolution in political practice which went on *pari passu* with the war.

C. H. VAN TYNE.

A History of the President's Cabinet. By MARY L. HINSDALE, Ph.D.
(Ann Arbor: George Wahr. 1911. Pp. ix, 355.)

THERE was real need for a volume such as Miss Hinsdale has written. The literature of merit dealing with the President's Cabinet is notably meagre, considering the importance of the Cabinet as an institution of government. The book under review, one of the *University of Michigan*

Historical series, is a definite and valuable contribution to the general subject of American politics, and will be of service to students of both history and political science.

Although Miss Hinsdale's book is not divided in its typographical arrangement, it logically separates into three parts. The first deals with the origin of the Cabinet; the second with its development under successive Presidents; and the third with general considerations upon the principles of cabinet-making and the relations of the Cabinet to the President and the Congress. The treatment is logical and gives the reader a well-rounded view of the Cabinet, both in regard to its historical development and its present functions.

Good use is made of the material to show the unofficial, almost accidental origin of the Cabinet. Although the framers of the Constitution rejected all the plans proposed for an advisory council to the President, it was soon made plain by the methods employed by Washington that some kind of Cabinet council was sure to develop. The heads of the departments furnished the nucleus for such a council, although at first Washington was disposed to consult them individually and not as a collective body. He followed no regular practice, however, in seeking advice, frequently going outside his executive associates to a "coterie of informal advisers, made up of Madison and Jay, and sometimes Adams". At first Washington showed a marked inclination to consult with the chief justice rather than with his official legal adviser, the Attorney-General. Gradually he came to depend upon the department heads and took the "final and most essential action in the formation of the Cabinet" by instituting, without the authority of law, "a college of advisers made up of the three Department Heads and the Attorney-General". Just when Washington decided to take this step cannot be shown; the "visible separation" of the official from the unofficial advisers is definitely marked by the Cabinet meetings, which, infrequent and irregular for a time, were regularly held by the opening of 1793.

In what has been called the second part of the book, the treatment of the Cabinets of the different Presidents necessarily varies a good deal. Some administrations, some Cabinets, have been vastly more important than others. The plan of the author is to discuss the attitude of each President toward his Cabinet, the motives that controlled him in the selection of its members, the development of the Cabinet's influence, the evolution of its collective character, and, particularly, the contribution of each administration to the formation of the Cabinet as it is to-day. The personal element is given a good deal of prominence, and, as would be expected, adds to the interest of the book. Naturally some of the chapters are not much more than a register of Cabinet appointments, but that is in no way the fault of the author.

The last three chapters deal with subjects that will appeal especially to the student of political science. The titles of these chapters are: Principles of Cabinet Making, Cabinet and Congress, and Cabinet and the

President. Though they deal with familiar material, they constitute a valuable part of the book. Particularly praiseworthy is the manner in which general statements of principle are backed up by the facts of history.

On the whole this is a very satisfactory book. It gives evidence of careful, scholarly work and of conscientious study of the sources. Not the least of its merits are the extended bibliography and fifteen pages of index.

The President's Cabinet: Studies in the Origin, Formation, and Structure of an American Institution. By HENRY BARRETT LEARNED. (New Haven: Yale University Press; London: Henry Frowde. 1912. Pp. xii, 471.)

THAT the importance of the President's Cabinet as an institution of government is to receive wider recognition than has hitherto been the case is indicated by the publication of Mr. Learned's book, following as closely as it does the publication of Miss Hinsdale's *A History of the President's Cabinet*, also noted in this REVIEW. The student of American government, no less than the student of American history, will welcome this new volume.

The purpose of the book, as announced by the author, is "to reveal those factors in the history of the President's Cabinet which explain the origin and formation of the council as well as the establishment of the structural offices which form the institution". No attempt is made, except in an incidental way, to treat of Cabinet practices and personnel; those subjects are reserved for a later study. The present volume is limited "to setting forth the anatomy in contrast to the functions of the Cabinet" and should be judged accordingly. A careful reading forces the conclusion that the author has accomplished his purpose in a very satisfactory manner.

The book consists of thirteen chapters, in addition to the introduction and the appendix. The first chapter is devoted to the historic significance of the term "cabinet" in England, and, though interesting in itself, is not related particularly to the rest of the book and might well have been omitted. Roughly speaking, about half of the book is given to a discussion of the origin and development of the Cabinet as a collective body and to the organization of the principal executive offices in 1789. The remainder is devoted to the establishment of the other Cabinet departments. Of most interest, perhaps, are those chapters in which are discussed the foundations of the Cabinet as revealed in the administrative experience of the states from 1775 to 1789, the development of the idea of a President's council in the deliberations of the Constitutional Convention, and the actual creation of the Cabinet during Washington's first administration. The point of view of the author is that the Cabinet, as a collective body advisory to the President and composed of the heads

of the great executive departments, is not wholly due to a happy accident, but that the development which has actually occurred, was anticipated by some of the more far-seeing members of the Convention of 1787. Particularly, in the author's opinion, is Charles Pinckney entitled to praise for the clear manner in which he seemed to forecast the evolution of the Cabinet. Pinckney's assertion in a pamphlet published very soon after the adjournment of the Constitutional Convention, that the President would have the right to consider the heads of the departments, "when instituted", as his council, and his application of the term "Cabinet Council" to this body, seem to justify the enthusiasm of the author when he says that this "remarkable characterization of an institution unrecognized by the Constitution . . . can hardly have been a mere suggestion or chance prophecy on Pinckney's part". The expression "Cabinet Council" was not current then and Pinckney's use of it "is probably the first that can be found". Although very early in his first administration Washington began the practice of consulting with his principal officers, the term "cabinet" was not applied to this body of advisers until 1793, and by that time the Cabinet's collective character was fairly well established. The evolution of the Cabinet, the principles which underlie it, and the attitude of the early presidents and the Congress towards it are discussed clearly and in detail. It is plain throughout that the author has been painstaking to insure the accuracy of his statements.

The organization of the three departments first established, the State, Treasury, and War departments, is necessarily treated in connection with the discussion of the Cabinet's origin and early development, but to each of the other departments a separate chapter is given. Of these later chapters the most interesting is probably that which treats of the attorney-generalship and the evolution of the Department of Justice. But of each department the author has given a very complete and illuminating account. The reader who follows the discussion with care will obtain not only an understanding of what the Cabinet is and how it came into existence, but a clearer insight into the working of America's most distinctive political institution, the presidency. The formation and development of the Cabinet is, in fact, only a part of the evolution of the presidency itself.

* Evidence is abundant of the author's study of the sources. His style is clear and simple, and his material is presented in a thoroughly readable manner. From the typographical point of view the book is excellent. Its value is greatly increased by the list of authorities contained in the appendix and a carefully prepared index of more than forty pages. Though, in some respects, not entirely free from criticism, this book will be of great service to students of American history and politics.

The Negro in Pennsylvania: Slavery—Servitude—Freedom, 1639–1861. By EDWARD RAYMOND TURNER, Ph.D., Professor of History, University of Michigan. (Washington: The American Historical Association. 1911. Pp. xii, 314.)

THE feature that at once arrests attention in an examination of this, the latest "Justin Winsor Prize Essay" published, is that of the wealth of bibliographical citations. It is apparent that Dr. Turner has made a systematic and exhaustive use both of original material, alike in manuscript and in print, and of secondary works, but primarily of the former. He has extended his search beyond the more common collections to those hitherto unknown or unused, such as the various kinds of records in the older counties, the minutes of Friends' meetings and those of other societies, both religious and abolitionist in character, as well as exhausting the resources of several valuable private collections. The bibliographical contribution is in itself a notable one. Supplementing the two hundred and fifty pages of text and notes, is a comprehensive bibliography of manuscripts, newspapers, books, pamphlets, statutes, reports of cases, and pictures, covering forty pages. The titles of the manuscript list alone occupy over one-fourth of this space. An examination of this list conveys some idea, not only of the great variety of the sources used, but also of the immense amount of material canvassed.

In addition to zeal for research and for the careful collation of material, Dr. Turner also possesses the power of wise selection, logical organization, and lucid and interesting presentation of his data. As the result, he has been eminently successful in realizing his avowed purpose "to give a complete account of the legal, social, and economic history of the Pennsylvania negro in his rise from slavery to freedom". The work at once takes its place as the authority in this field and will not suffer by comparison with similar monographs on the history of the negro and of slavery in other states.

The subject is topically presented. The initial chapter, which gives an account of the introduction of the negro, is followed by five chapters which treat of the development of the negro through the successive stages from servitude to slavery, and from slavery to freedom, with his attendant relation to the community. A similar plan of treatment is observed in the next five chapters, which deal with the free negro in his legal, social, and political relations. The two concluding chapters relate to the subjects of abolitionism and anti-slavery, and the attitude toward fugitive slaves.

Of the several conclusions established, these are perhaps the most important. Slavery in Pennsylvania was a gradual development from servitude. The condition of the first negroes differed little from that of the indentured servants. Even when fully established, slavery was of a very mild form, both as a legal and a social system. Indeed the author remarks, "It might seem that slavery as it existed in Pennsylvania in

the eighteenth century was a good, probably for the masters, certainly for the slaves" (p. 52). This favorable status doubtless prevented its growth and perpetuity. Slaves never were very numerous in Pennsylvania. Although located further to the south, the number was several thousand less than either in New York or in New Jersey. This was due to the increasing objections to slavery on moral grounds among the Quakers and to the fact that the industrial life of the colony did not promote it. With the adoption of the gradual abolition act of 1780, the first act of its kind in America, there began a gradual upward progress toward freedom and equality, and the number of slaves diminished rapidly. In some respects, freedom did not work to the advantage of the negro, as a strong race prejudice developed among the whites against him, which manifested itself in many ways and materially retarded his social and economic improvement. While he was nominally granted by law equal civil rights, he did not always enjoy them in practice and political equality was withheld until 1870.

The prominent part played by the people of Pennsylvania in inaugurating the first abolition societies, their participation in the later movement against slavery, as well as their attitude toward the slave problems raised by the fugitive-slave question, are adequately presented. The author applies the terms "abolition" to the early period and "anti-slavery" to the later movement, contrary to the usual custom. He cites the legal names of the societies of these periods in support of the terminology he has adopted. Technically, this use is justifiable, although confusing and unusual, as the employment of the terms "abolition" and "abolitionist" in the period following 1830 was so universal as to be given general recognition.

The type and press work are a decided improvement over that of the earlier volumes of the series.

HERMAN V. AMES.

Political History of New York State during the Period of the Civil War. By SIDNEY DAVID BRUMMER, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XXXIX., no. 2.] (New York: Longmans, Green, and Company. 1911. Pp. 451.)

Ohio Politics during the Civil War Period. By GEORGE H. PORTER, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XL., no. 2.] (New York: Longmans, Green, and Company. 1911. Pp. 255.)

As the authors of both these books state that their subjects were suggested by Professor Dunning, it is to be presumed that they are the forerunners of a series of political histories of the several states destined to proceed from his seminary. It seems worth while, therefore, to speak of their general and common features before discussing them separately.

In workmanship both are excellent. The facts upon which they are based seem well ascertained, well grouped, and sufficient for the purposes in view. This is particularly noticeable because few, if any, historical monographs have been produced so dependent upon newspapers. Both authors acknowledge this dependence, and Mr. Brummer explains the conservative methods which he used in interpreting them (p. 6). It is gratifying to the modern historian to note how firm a structure may be raised of this material so often rejected by the builder. No less commendable is the handling, in both cases, of the intricate problem of the inclusion and exclusion of national politics. To the mind of the reviewer, exactly the proper balance has been struck between national and local interest.

The scope of both books is precisely that indicated in the titles, taken at the narrowest. That on Ohio does indeed come to 1867, while that on New York reaches only through the election of 1864. But both are strictly political, and are practically confined to politics growing out of the Civil War, almost disregarding standing local problems. There is no discussion of party machinery. Lobbies, caucuses, patronage, conventions, etc., are referred to but nowhere described. While it is realized that much may be taken for granted, and that useless duplication is one of the greatest curses of modern historical production, it still seems that a series justifying itself on the need for local study should explain local differences of political management. More emphatically it seems that such a series should attempt, in some degree at least, to root politics in the soil. It is not necessary to write a social and economic history in order to accomplish this, but to divorce politics entirely from conditions is not to write history for modern needs. Mr. Porter devotes four pages to the origins of Ohio's population, and this is the sole recognition of the foundation upon which politics are based. Moreover, the United States was not quite so undemocratic, so utterly at the mercy of political leaders, as it here seems to be. The fact that the books have value rests upon the knowledge which their readers will bring to them, and consequently their use will be by students of American history. To a European and to the average American they must be dry as dust.

A central idea in both books is Professor Dunning's favorite contention that the Republican party of to-day has no organic and little vital connection with the party that elected Lincoln in 1860. No one can candidly read them without acknowledging that this thesis has, on the whole, been maintained, though it seems somewhat over-insisted upon. The gradual development of a homogeneity and a purpose by the "Union" party has not been made sufficiently clear.

Mr. Brummer has the more interesting field, and the more difficult. That he is able to treat of the mazes of New York factional fights and leave clear impressions of certain general movements, is a tribute to his constructive skill. Particularly he shows the influence of the war in breaking down old factions and lessening the power of faction, and

the gradual evolution of groups held together by their views of war policy. Mr. Brummer is distinctly a "Unionist", and he does not seem quite fair to the greatest figure with whom he has to deal, Horatio Seymour. He brings out more clearly than ever before the reasons for Seymour's failure to grasp the helm of the Democratic party, and, by inference, the loss that party sustained in Douglas; but he fails to appreciate, at least sympathetically, Seymour's point of view. Thurlow Weed has never been better revealed, and the portrait gains by being sympathetic. Weed's subtle virtues, unlike Seymour's, evaporate under too severe criticism. The number of interesting men concerned with the politics of a single state is remarkable, and in general the descriptions of them are lively, and the estimates of their character, sound.

Mr. Porter is somewhat more judiciously minded than Mr. Brummer, or at least does not express his own opinions so freely. His statement at the beginning of his discussion of the Peace Democracy, that its leaders "continued to use argument when emotion was dominant" (p. 128), is not borne out by his subsequent account of their policies (pp. 189, 191, 225, etc.), and the quotations from their turgid speeches (pp. 157, 178). Yet his account of that movement as a whole is colorless in the better sense. In citing acts of Congress he should have referred to the *Statutes*, rather than to McPherson's *History of the Rebellion* (p. 105). William Allen should not be referred to as *Governor* in the Bibliographical Note (p. 255), and as *Senator* elsewhere (pp. 133, 229, etc.). A commendable feature, not found in Mr. Brummer's work, is the mapping of significant votes. In this way Mr. Porter has made plain the remarkable persistence of Ohio's political geography. Still scarcely enough is made of geography, and particularly of Ohio's contact with the slave-holding states. The Border-State convention is not mentioned. Of course, the chief personal interest centres in the career of Vandaligham, and the portion of the book dealing with him is undoubtedly the best. The account of Vandaligham, however, like that of all other leaders, is so purely objective that no concept of his character is given. It may be that the historian should present historic figures solely through their acts, but politics alone do not give a wide enough basis of fact to afford grounds for a just estimate. The discussion of negro suffrage with which the book closes is well done, and contains some new material.

CARL RUSSELL FISH.

Robert E. Lee: Man and Soldier. By THOMAS NELSON PAGE.
(New York: Charles Scribner's Sons. 1911. Pp. xviii, 734.)

MR. PAGE wrote this life "in obedience to a feeling that as the son of a Confederate soldier, as a Southerner, as an American, he, as a writer, owes something . . . which he should endeavor to pay" (p. xv). He believes that: "The reputation of the South has suffered because we have allowed rhetoric to usurp the place of history" (xviii). His thesis is that Lee belongs to the first rank of captains though whether

one of six or one of fourteen, is not clear (p. 68). He wishes, therefore, to be judged from the historical and literary points of view, and as to his success in maintaining his thesis.

Mr. Page's reputation makes it unnecessary to say that there is good writing. It soon becomes obvious, however, that he is not at home in handling documents. Particularly, the repetition of phrases and facts becomes wearisome, and the total literary effect of the book is heavy.

Historically, Mr. Page has made use of the best authorities, but there are many minor errors. The Whisky Rebellion occurred before Washington's death (p. 9). Historians will agree that the states "at last" bore the expense of their cadets at West Point; but the statement: "There being at that time no high tariff and no internal revenue taxation to maintain the National Government, [they] made a yet more direct contribution than since the war" (p. 42), is mysterious. More important is the fact that he has not been able to escape his prejudices, though in many cases he has made an heroic attempt to do so: a struggle which often gives an appearance of inconsistency. On page 68 he praises Grant highly, but in the discussion of Grant's campaigns he does not give him sufficient ability to put Lee into proper relief. It certainly was not "novel to question" the "right" of secession in 1861 (p. 45). His discussion of the "resources" of the sections (pp. 67-79) is valueless. He shares John Randolph's prejudice in favor of the "good old thirteen states" (pp. 78 ff.).

As a study of Lee, the book, in spite of an effort to avoid it (p. xv), resembles too much the early lives of Washington. Lee is so well rounded, so self-contained, that it is difficult to bring him before a subsequent generation. This book does comparatively little to accomplish it; it is almost totally lacking in the keen analysis that marks Gamaliel Bradford's recent articles in the *Atlantic*. The main emphasis is on Lee's military genius, and here Mr. Page falls into an error which Lee himself always avoided—that of blaming subordinates, or the government, or chance, for Lee's failures, except those due to lack of resources. It never seems to occur to Southern writers that the Northern army had anything to do with the result at Gettysburg. Mr. Page can hardly bring himself to criticize the Virginian Stuart, and so puts the blame on Longstreet who is a general scapegoat. The failure to crush McClellan was due to Jackson. The battle of Malvern Hill was practically a Confederate success. Lee's first invasion of Maryland and his failure to crush Hooker at Chancellorsville and Grant in the Wilderness, were due to strange mishaps. That the commander was in any way responsible for his subordinates, is mentioned only once (p. 617), that military operations are generally liable to strange mishaps is never mentioned. It can hardly be expected that this book will be of any weight in establishing Lee's position as a general; its study of his character is not a contribution to the literature on the subject, but may enlighten many who have not read Mr. Bradford's articles or Lee's own letters.

Ebenezer Rockwood Hoar: a Memoir. By MOORFIELD STOREY and EDWARD W. EMERSON. (Boston and New York: Houghton Mifflin Company. 1911. Pp. 355.)

THIS brief biography of Judge Hoar is to be welcomed hardly less because of the light which it throws upon important historic movements and events in which he bore an active part than for its convincing portrayal of the man whom Lowell described as of all his friends "the most genuine Yankee".

Born in Concord, Massachusetts, the son of Samuel Hoar and the elder brother of George Frisbie Hoar, heredity and environment combined to make him the type of man and citizen of which Massachusetts is most proud. His frequent calls to public service never lessened the lure of his quiet home in his native town, with its intimate friendships with Emerson and Hawthorne and less distinguished neighbors. Nor was he without honor in his own country: for two-score years at almost every occasion of civic interest he was Concord's chosen representative.

He early showed a keen aptitude for politics, and soon became one of the most influential leaders in the movement which disrupted the Whig party. His keenness of tongue and pen made him a formidable fighter. The antithesis, "Cotton Whigs" and "Conscience Whigs" came from him, and to the Republican platform in 1856 he contributed the telling phrase, "those two relics of barbarism, polygamy and slavery". Though influential in party councils and in campaign work, he never sought office, and accepted it with reluctance when elected to the Massachusetts senate, and later for a single term to the national House of Representatives. In his later years it was hard for him to see excellence outside of the Republican party; he regarded Mugwumps—including his three sons—"with amused tolerance".

He became one of the foremost jurists in his commonwealth, and was early appointed to the court of common pleas. After six years of service he resigned, but later accepted an appointment to the Massachusetts supreme court, to which he gave ten years of eminent service, at the end of which he became attorney-general in Grant's Cabinet.

The historical interest of this book centres mainly in the light which it sheds upon the personality of Grant and the events of his administrations. At the very first Cabinet meeting which Judge Hoar attended, the President announced his intention to appoint a certain man chief justice of one of the territories, adding that he had great sympathy with this veteran, who had lost both legs in battle. His counsellors sat in embarrassed silence, until the Attorney-General remarked: "Mr. President, it seems to me that mere absence of legs is not a sufficient qualification for a judicial office." His colleagues were somewhat aghast, but the President laughed, and the appointment was never made. The episode is to a degree typical of relations which continued to obtain between the shrewd judge and his inexperienced chief. Particularly in matters of "sound money" and of appointments to the new circuit

judgeships his influence was effective. He secured a strong list of judges, but in so doing he incurred the hostility of many a senator who had hoped to pay political debts by the gift of one of these nominations. The opportunity for revenge was at hand, for when Grant appointed Judge Hoar for a position upon the Supreme Bench much angry opposition was encountered; for five months the nomination was before the Senate, and was then rejected. "What could you expect for a man who had snubbed seventy senators?" was the comment of one of that body.

Judge Hoar first learned of his selection for Cabinet office from the bulletin-boards of Boston newspapers. Almost equally abrupt was the intimation that his resignation was desired, when Grant saw an opportunity to win favor at the South by appointing an Attorney-General from that section. Judge Hoar bore this astounding treatment "with perfect serenity", not allowing it to chill his personal regard for the President. Only a few months later, Grant again sought his service as a member of the Joint High Commission which adjusted the long-pending controversy with Great Britain by the treaty of Washington.

It is fitting that the biography of this jurist and loyal son of Concord should have been prepared as the joint product of the leader of the Massachusetts bar and the son of Ralph Waldo Emerson, Judge Hoar's lifelong friend. Sympathetic insight and the command of personal memories and documents have enabled them to present a striking characterization of the man. Yet this biography obviously suffers from a lack of unified interest and responsibility. Its structure is very loose. Repetitions in almost identical phrase occur even on consecutive pages. Heavy dependence has been placed upon Senator Hoar's autobiography. The headings of the longest chapters, *The Public Spirited Citizen* and *Personal Reminiscences*, permit a loose stringing of episodes, many of great interest, but some of trifling importance. Nevertheless, in these pages Judge Hoar stands forth as a virile personality, a nineteenth-century Puritan, as shrewd as he was learned, devotedly loyal and largely serviceable to his native town and to his college, to his commonwealth, and to his country.

GEORGE H. HAYNES.

J. L. M. Curry: a Biography. By EDWIN ANDERSON ALDERMAN and ARMISTEAD CHURCHILL GORDON. (New York: The Macmillan Company. 1911. Pp. xvii, 468.)

JABEZ LAMAR MONROE CURRY was born in Georgia in 1825, he studied law at Harvard, "went off" to the Mexican War in 1846, entered the Alabama legislature in 1847, became a member of Congress in 1857, and was a leader of national reputation in 1860, when he was only thirty-five years old. He was next a member of the Confederate Congress, a colonel in the Confederate army, a minister in the Baptist Church, a college professor in Richmond, Virginia, and a popular lecturer on educational topics. From 1881 till his death in 1903 he was agent of the

Peabody Trust and the foremost educational leader and evangelist in the South. But he was too good a Southerner to resist the invitation of President Cleveland to represent the United States at the Court of Spain where he "assisted" at the birth of the present monarch.

This was an eventful life and worthy to be recorded. He kept a diary during most of his life, made copies of his important letters, and filed clippings and other data bearing on his career or the events in which he had a hand. This collection has been used by the authors with care and good sense; their references and quotations whet the appetite for a fuller acquaintance with this original material. It ought certainly to be preserved.

In politics Curry was of the Calhoun school, a strict constructionist of the Federal Constitution, and he died loyal to this idea, though his attitude toward the Blair bill must have given his conscience some troublesome scruples. On slavery he was an extremist, believing absolutely in the righteousness and the advisability of admitting Kansas under the Lecompton Constitution—he thought it to be the duty of Congress to protect slavery in a territory in spite of the "unfriendly legislation" of which Douglas spoke in the debates with Lincoln. And when the South seceded he rejoiced.

But the authors of this book take pains many times to argue that Curry did not fight for slavery, but simply for "constitutional freedom" and the "sovereignty of the individual state" (p. 157). This is so frequently brought into the narrative that the reader is led to suspect the accuracy and doubt the force of the claim.

Curry's life work, that of an educational evangelist for the South, receives, as is quite proper, large attention. Curry's abilities were decidedly of the emotional and oratorical character; he could preach most effectively, and when he pleaded the cause of Southern education, of negro education, even the southern legislatures were impelled to action, and the press gave him big head-lines. It was this gift of stirring the feelings of men which moved the Peabody board to employ him, and which enabled him to set in motion the reforms which have so radically revolutionized Southern thought and habit on the subject of popular education. President Alderman, himself, is an intellectual child of Curry as well as a successful leader in the same cause; Charles D. McIver of North Carolina was another of those firebrands of reform that Curry set in motion.

If there is a weakness in this modest biography it is just in this matter of the continuation of Curry's work; but this would have involved too much that would have been personal and invidious which may well be left to the historian of the "New South". Such an historian can not fail in his final reckoning not only to give this gifted Alabamian a high place among statesmen, but also to devote much space to the cause which he made popular and which is being carried forward all over the South by his successors.

WILLIAM E. DODD.

Memories of Two Wars: Cuban and Philippine Experiences. By FREDERICK FUNSTON, Brigadier-General, U. S. Army. (New York: Charles Scribner's Sons. 1911. Pp. xv, 451.)

THIS book of some 130,000 words has the qualities both of stirring adventure and information. A third is given to experiences in the Cuban insurrectionary forces in 1896 and 1897; the remainder deals with the service of the author as the colonel of a Kansas volunteer regiment in the Philippines.

The account of the manner of joining the Cuban army in August, 1896, is not least in interest. Incidentally the description of departure from the United States in company with a body of Cubans and a cargo of warlike stores, in the tug *Dauntless*, one of the most famous and successful of the filibustering vessels, is a tribute to the good faith of the American government in its efforts to prevent such expeditions. Though so many were successful, it was through remarkable cleverness and secrecy on the part of the Cubans in evading the vigilance of American officials and cruisers. The *Dauntless* carried to Cuba a Hotchkiss 12-pounder, which was to be part of the small artillery force with which the author was to be connected through the whole of his Cuban experience, but the cargo of 1300 rifles with 460,000 rounds, besides much else, illustrates how valuable to the Cubans was the close neighborhood of the United States. There is a touch of humor in the fact that a great "Cuban" fair in New York City in 1896 for the purchase of "hospital supplies" furnished much of the funds for the purchase of the cargo.

The author's accounts of Gomez and Calixto Garcia are vivid and interesting, and those of the actions in which he was engaged give a much higher idea of Cuban and Spanish courage and energy than is generally held. Spain failed because she sent a vast body of infantry to Cuba, when her chief force should have been mounted. Funston estimates the number of Cubans actually under arms at the time of the intervention by the United States as 35,000. The total number who served in the war was 53,744; of these, 5,180 were killed in action or died of wounds. This large proportion is striking when compared with such losses by ourselves in the War of 1812 and the Mexican War, *viz.*, 1877 and 1721. In the face of such figures there can be no question but that the Cubans "took chances".

Despite his field experience as an officer in command of Cuban artillery, the author says respecting his appointment as colonel of the Kansas regiment, "While I had seen much campaigning and no little fighting, my service had been in a force in which drill or other training was a practically unknown quantity". He thus felt that the raw regiment "should be under the direction of one who knew at least something of infantry drill". The governor overruled his modesty. Some of his own and of the regiment's deficiencies in such matters were made up by the four months' drill while waiting at San Francisco for embarkation for Manila, October 27, 1898.

The transport *Indiana* arrived at Manila on November 30 and within a week the regiment was ashore facing the trenches of the Filipino army which practically invested the city. The record of the coming two years, in 271 pages, is one of almost incessant and gallant action, which gives a very high idea of the American soldier's energy and courage. The whole culminates in the extraordinary and picturesque episode of the capture of Aguinaldo, March 23, 1901, which brought to the author a commission as brigadier-general in the regular army.

The book has a large number of admirable illustrations by F. C. Yohn. The only adverse criticism is that there ought to be maps of those parts of Cuba and of the Philippines in which the actions so entertainingly and instructively described took place, and there should be more and fuller dates. "The 14th", for example, particularly when it occurs in a stretch of several pages, is not a date. Barring these comments, the book deserves unreserved praise.

The Relations of the United States and Spain: the Spanish-American War. By FRENCH ENSOR CHADWICK, Rear-Admiral U. S. Navy (Retired). In two volumes. (New York: Charles Scribner's Sons. 1911. Pp. xii, 412; vii, 514.)

THESE important volumes constitute a most welcome addition to the literature of the Spanish-American War. They have a peculiar value as being from the pen of an officer of the navy who was not only an active and distinguished participant, in command of a battleship, but who also filled the important and delicate position of chief of staff to Admiral Sampson. The work cannot be accepted as final and definitive, its scope being clearly indicated by the title "documentary history", whence the trained historian can conveniently draw material supplemented by professional comment.

It naturally results that the chapters relative to the operations of the army and of the navy are of unequal historic value. Those which pertain to the North Atlantic fleet are especially full, and may well be considered as authoritative. The volumes are dedicated to Admiral Sampson, and the author, despite evident efforts at impartiality, cannot entirely eliminate the personal and official bias acquired during his war service. Judged by the index, Sampson's services take up one-eighth of the two volumes.

The chapters on ante-bellum conditions admirably portray the situation from both the Spanish and the American standpoints. The preparations of Dewey, the voyage of the *Oregon*, the vacillating policy regarding the ill-fated *Maine*, the plans for blockade, and the unpreparedness of both Spain and the United States are set forth with clarity and forcefulness.

There are few reports that are new to the general public. The most striking is the acknowledgment of the strategic failure, at a critical period, of the naval war board, in not accepting the accurate report of

the army of the arrival of Cervera's fleet at Santiago de Cuba. The discrediting of this report by the naval war board in Washington and by Admiral Sampson at Key West (I. 266-272), renders inexplicable the harsh censure in former years of Admiral Schley for similar disbelief when in receipt of information (I. 289) that Cervera had left Santiago.

Admiral Dewey's achievements at Manila are convincingly set forth as worthy of high acclaim from his countrymen. Generous, if unique action towards a fallen foe was that of Captain Lamberton (I. 201) in permitting and advising the withdrawal of two Spanish regiments from Cavite, without parole or surrender, so as to avoid having "prisoners or incumbrances on shore".

Attention in these volumes centres on the operations of the North Atlantic fleet, particularly in the blockade of Santiago and the destruction of the Spanish fleet. The account of this much-discussed naval battle brings together a large amount of most interesting matter. The figures of Sampson and of his pathetic foil, Cervera, loom large in these pages.

Amusingly enough the spirit of "the recall" enters the work, for in connection with what "may seem small work" to some (I. 146), in picking up Spanish fishing-boats as prizes, Admiral Chadwick advances arguments to show the unsoundness of the decision of the Supreme Court of the United States relative to such seizures.

This "documentary history", which purports "to give all important orders, telegrams and reports", is strangely deficient as to the operations of the army. It requires little reflection to recognize that the success of the war involved the occupancy and control of several widely separated countries whose population exceeded nine millions.

Probably the most important omission relates to the Signal Corps, which does not get into even the index of these volumes. It is not alone that the Signal Corps controlled all the cables of the United States, and that it established and operated the cable, telegraph, and telephonic systems abroad, without which the war would have been indefinitely prolonged, but that through circumstances it even affected the crucial campaign.

In the *Report* of the Secretary of War, 1898 (vol. I., pt. I., p. 880), the chief signal officer reports that by "his representations he was responsible for the inception of this [Santiago] campaign, which proved to be the turning point of the war". Secretary of the Navy Long says: "All military and naval movements depended upon that point (the presence of Cervera in Santiago Harbor)" (*ibid.*, p. 894).

The "marked instance of a failure [by the navy] in the very basis of successful operations—information" which the author mentions (Chadwick, I. 70), was more flagrantly repeated in its failures to locate Cervera's fleet, the navy being entirely indebted to the army for the news, a matter now of historic, as well as then of national importance.

The Key West cable office (working with Havana), from the middle of April, 1898, to the end of the war, was a military office, managed and

operated solely by officers and employees of the Signal Corps, the latter sworn to secrecy and loyalty. The telegram on which President McKinley acted was an official despatch from Captain (afterwards Colonel) James Allen, received by the chief signal officer in cipher, May 19, given at once to the President, and later by his orders to the secretary of the Navy. Colonel Allen in his official report (*Annual Report*, 1898, Secretary of War, vol. I., pt. I., p. 946) says: "On the morning of May 19 the Spanish fleet under Admiral Cervera was located at Santiago de Cuba. Its presence was at once telegraphed to the Chief Signal Officer . . . [in cipher], and reported in person to the senior naval officer at Key West." How Admiral Crowninshield knows that this cipher despatch was preceded by a private telegram is of interest. If his statements regarding the Helling's despatch are accurate, it was none the less an army message from a military employee who disgracefully violated his oath of fidelity by betraying to a corporation for its use and dissemination a military secret of the highest importance to the nation.

It is enough that, as Chadwick shows, the navy discredited this information and permitted ten days to elapse before it verified the news of Cervera's presence. But as this news resulted in the speedy termination of the war, and as it was purely an army achievement, it is doubly unfortunate that Admiral Chadwick, doubtless through inadvertence, failed to incorporate this report in his work. Such omission cannot fail to cast doubt on other important matters bearing on the co-operative action of the two services.

The character of the work leads inevitably to comparisons between the army and the navy, which unfortunately are not always treated with discretion and fullness. For instance, remarks on the relative health of the two services should have been materially reduced or greatly extended, so that the reader, fully informed, might draw just conclusions. Nevertheless the work is one of marked historical value.

A. W. GREELY.

The Story of a Great Court. By JOHN BRADLEY WINSLOW, LL.D.
(Chicago: T. H. Flood and Company. 1912. Pp. xiv, 421.)

THIS history of the supreme court of Wisconsin from territorial days to the close of 1880, by its present chief justice, has more than local interest. It exhibits the origins of a judicial tribunal under the conditions of frontier life; it portrays the traits and antecedents of characteristic early jurists of the Middle West, some of whom achieved renown beyond state limits, and it deals with several decisions of national importance.

At the outset the author takes note of the fact that Wisconsin's first constitution, which was rejected in 1846 because of other reasons, contained the provision for an elective judiciary and that this provision was retained in the constitution of 1848. Thus it was a pioneer in this sys-

tem. "During the entire history of the separate Supreme Court from its organization in 1853 up to the present time it has had but twenty-five judges. . . . Since a very early period in the history of Wisconsin with a single recent exception no sitting judge who has been a candidate for re-election has been defeated, notwithstanding a number of attempts in that direction, and judges who have reached that bench have been given practically a life tenure." This result Justice Winslow attributes to the clause of the constitution giving the governor power in case of a vacancy to appoint a judge to hold until the election of his successor, and especially to the clause providing that no election of a judge should be held within thirty days of a general election. Under these provisions eleven of the twenty-five judges who have constituted this court have been put on the bench by appointment and the people have with one exception ratified their appointment by election.

The author details the various failures to make political capital in Wisconsin out of a judge's unpopular decisions and the defeat of partizan politics in judicial campaigns. It is probable also, though the chief justice does not touch the point, that the tendency of the court, particularly in recent years, to grant due but unconstrained recognition to the effect of changed economic conditions upon the interpretation of the law has strengthened the bench in the confidence of the state.

Among the important cases which are critically discussed are the Booth case, arising over the rescue of a fugitive slave, where the court took high state sovereignty ground and was supported by the people in various test elections up to the eve of the Civil War; the railroad tax decisions of 1859 and 1860; the farm mortgage controversy; and the Potter Law (granger) case of 1874. Justice Winslow gives an excellent account of such jurists as Paine, notable in the state sovereignty argument, Dixon who set his face against the popular clamor for a relief system for farm mortgage sufferers, and the distinguished Ryan whose most notable opinion was in the decision of 1874 upholding the right of the state to regulate the railroads.

It is worth mention that up to 1880, including the temporary court which preceded the establishment of the supreme court, of the judges who served in this tribunal, ten were born in New York, five in New England, one in Ohio, and two (including the ablest of them all, Justice Ryan) in Ireland.

Chief Justice Winslow has exhibited not only legal acumen and learning in his work, but also real historical ability.

FREDERICK J. TURNER.

Annexation, Preferential Trade, and Reciprocity. An outline of the Canadian Annexation Movement of 1849-1850, with special reference to the Questions of Preferential Trade and Reciprocity. By CEPHAS D. ALLIN, M.A., LL.B., Assistant Professor of Political Science, University of Minnesota, and GEORGE M. JONES, B.A., English and History Master, Humberstone Collegiate Institute, Toronto. (Toronto and London: The Musson Book Company. 1911. Pp. xii, 398.)

AFTER reading the sweeping general title of this volume it is somewhat of an anti-climax to discover on perusing the subtitle that in fact the book is confined to the Canadian annexation movement of the two years 1849-1850. In actual treatment, moreover, it is even more limited in scope. But three pages are given to the movement in the Maritime Provinces and not many pages more are allotted to discussing the attitude of either the United States or Great Britain. Thus we have here a very intensive study in an extremely limited field.

The annexation movement of these years, according to our authors, had its start after the defeat of the Tory party in the election of 1848, a defeat due in a measure to the fact that Lord Elgin, the newly appointed governor-general, abstained from interfering in the election, in accordance with the more liberal colonial policy adopted by Great Britain after the revolt of 1837. In this election the French had favored the Liberals and thus aroused in the Tories the bugbear of French domination. Furthermore, the members of the Tory party were extremely annoyed by the passage and signing of the Rebellion Losses Bill. But a more serious cause of unrest than either of these difficulties was the economic depression into which the country was plunged following the adoption of free trade by Great Britain. "Temporary insolvency was the price which Canadians paid for the triumph of English free trade" (p. 20). The preferential duties which had theretofore favored Canadian grain and millers now disappeared and the question of finding a market was the most pressing one before the country. Annexation to the United States seemed to offer a solution. Moreover, much of the carrying trade was being diverted to the United States, and New York was becoming the distributing centre for the business of western Canada, much to the dismay of Montreal, a situation which was only partially relieved by the repeal of the navigation laws in 1849.

Out of the economic distress, the social discontent, and the turmoil of race and party thus created, arose the British American League. After a considerable struggle the convention of the league took a stand in favor of protection and a union of the British-American provinces, measures which were expected to offer an escape from the evils of French domination, economic depression, and annexation. The annexationists, having failed to secure control of the league, found it necessary to unite the various elements of their supporters in an association of their

own. A manifesto was issued and an active campaign begun. The agitation was favored by the steady increase in the economic depression during the latter months of 1849, and annexation became the leading issue of the day. The chief stronghold of the movement was in Lower Canada, where it was favored by the ultra-Tories as an escape from French domination, by the radical French as a move towards a more republican form of government, and by the commercial classes as a relief from economic distress. It was opposed by the bulk of the Liberal reformers then in control of the government, by the moderate Tories, and, under the leadership of their clergy, by the great majority of the French. In fact the unresponsive, unsympathetic, and passive attitude of the French is declared to have constituted "the strongest barrier against the spread of annexation tenets" (p. 151). In this section, too, nearly the whole of the press favored annexation. In Upper Canada, however, the situation was very different; most of the disturbing features were lacking and but few of the papers espoused the cause. Yet even there the movement was gaining headway enough so that the government felt obliged to take a definite stand against it. Several officials who had signed annexation manifestoes were dismissed, and in January, 1850, the Colonial Secretary, Earl Grey, definitely stated that the British government would actively oppose any such move. A flank attack on the movement was also made by sending both British and Canadian emissaries to Washington to try to secure concessions for Canadian products and reciprocity, but they met with only the most half-hearted response. Even the annexationists failed to arouse much enthusiasm for their cause outside of New York and New England; the issue inevitably became bound up with the question of slavery and the South steadily opposed it. By December, 1849, trade conditions began to look better and thereafter steadily improved. This combined with the hostility of the government, the unresponsive attitude of the United States, and the great lack of unity and leadership among the annexationists themselves slowly undermined the strength of the movement and during the first half of the year 1850 it gradually passed from the field of politics. Its significance in Canadian annals may be found in the fact that, "the history of the protective policy in Canada dates from the adoption of the free-trade policy in England. The annexation movement was one of the passing phases of the struggle of the business interests for 'fiscal favours'" (p. 290).

The authors' treatment of this subject is based very largely on newspaper editorials, manifestoes, and convention proceedings, and summaries of this material or extracts occupy the greater portion of the text. Little attempt seems to have been made to look behind these and to examine the actual situation as regards the economic depression by statistical investigation of any sort, in spite of the fact that the authors insist that there is to be found the chief cause of both the rise and decline of the annexation movement. Some investigation of this point, even at the expense of

further condensation of newspaper editorials, would have made the study more authoritative and complete. However, within the limited scope which the authors have set for themselves they have produced a highly intensive study, judicial in tone and eminently thorough.

CHESTER W. WRIGHT.

Old Panama and Castilla del Oro. With maps and rare illustrations.

By Dr. C. L. C. ANDERSON, Medical Reserve Corps, United States Army. (Washington: The Sudwarth Company. 1911. Pp. xv, 559.)

THE imminent opening of the Panama Canal has recalled attention to the history of the isthmus which, because of the early recognition of its strategic importance, must always be considered apart from the rest of Central America. This book is offered with the following explanation: "Barring the monumental work by Bancroft, not in reach of the general reader, there is no book in English dealing fitly with the early history of the Panama region, nor in any language is this information given in a single volume" (p. xiii).

The author's intention being to supply this deficiency, it would be unfair to expect the presentation of new material. The bibliography comprehends practically all printed sources in Spanish, English, and French, and a large number of the most important and trustworthy modern accounts. Manuscript and periodical material has not, apparently, been utilized at all. The *Calendar of State Papers Colonial*, though particularly informative as to the privateers from Jamaica, has not been used as extensively as it should be in correction of Exquemelin's more picturesque but less accurate account. The writer's own knowledge of the geography of the isthmus has enabled him to conjecture its former topography with great probability of accuracy, and has made his descriptions of the character of the country lucid and valuable.

The narrative covers the chief events of the story of Panama from the discovery to the failure of the Darien Colony in 1700. In view of the narrow and crowded scope it is regrettable that four chapters should be devoted to Columbus's early life and first three voyages, which might have been dismissed in one, since the discovery of the isthmus was made only in the fourth voyage. Nor can the brief accounts of Drake's exploit in the harbor of Cadiz and the fate of the Armada be regarded as pertinent. The sixteenth century receives a disproportionate share of attention, four chapters only (out of a total of twenty-four) being allowed the seventeenth, and those dealing primarily not with the isthmus, but with the assailants of the isthmus—the English buccaneers and the Scotch in Darien. The book is really a history not of Spanish settlement in that region, but of a succession of adventures: first the *Conquistadores*, then the Freebooters.

In the supplementary title, a "narrative history" is promised, and to

narration the author has strictly adhered, seldom allowing himself comment or deduction. He has made no attempt to fill in the European background, which could hardly be included in the compass of a single volume, though without it, the course of events in Panama seems chaos indeed. If the space of this review permitted, there are a few statements of fact which might be challenged, but, in the main, the accuracy with which the writer has followed the best contemporary accounts must be admitted. The foot-notes are generally by way of elaboration rather than reference and quoted passages occur not unfrequently in both text and foot-notes without citation of author or work. The style is informal and generally clear, but dignity has been sacrificed in such expressions as the following: "The Christian priests got busy and baptised Comagre" (p. 163); "The horses and bloodhounds soon had the natives on the jump" (p. 198); "The walls of their brag fort demolished and made into concrete" (p. 12); "Another opportunity to get in the game presented itself" (p. 233). To these must be added the intransitive use of *locate*, *laying* for *lying*, and the surprising frequency of *like* for *as*.

The book is handsomely illustrated, but is very unwieldy by reason of heavy paper and over-generous margin. The custom of designating pages by means of figures is too ancient and honorable to be so lightly discarded.

MINOR NOTICES

A Survey of Constitutional Development in China. By Hawking L. Yen, Ph.D. [Columbia University Studies in History, Economics, and Public Law, vol. XL., no. 1.] (New York, Longmans, Green, and Company, 1911, pp. 136.) A brief description of this monograph will serve the readers of this REVIEW better than any discussion of its author's views. He has arranged his matter with due relation to the prevailing ignorance of English readers on Chinese history, so that anyone interested in the subject might profitably begin a serious study of its institutions with this little work as an introduction. A true philosophy of government is ascribed by Dr. Yen to four schools existing about the time of the fifth century B. C., but it might be questioned whether two of these, corresponding roughly to the Epicurian and Sophist *credenda*, which arose after Confucius, are properly called political, even in its widest sense. However this may be, the Confucian idea prevailed after a brief reaction and has controlled the mind of China ever since. The pragmatism of Confucius evolved a theory of rule in accordance with examples furnished by nature. Heaven, earth, and man must operate together; the first two being constant factors, the last, ever changing in character, may govern well or ill according to his conformity with the others. The "Divinity that shapes our ends" is thought of by Confucius

only as one who "gives birth to millions of people and erects for them the king and teacher".

The structure of government approved by the sage, with its minute classifications under the ancient feudal system, is sufficiently outlined in the second chapter of this book. More interest will be awakened in the general reader by the chapter on public law. In this the author reveals the principles that underlie the famous *Spring and Autumn Annals*, a recondite work in which Confucius is supposed to have indicated his approval or disapprobation of the conduct of historical personages by a nice system of recording their acts in set terms. The *Annals* have been treated with scant courtesy by European critics, but when the rules of the game are understood it is a *tour de force* of historiography; its key is suggested by the classical commentators, but the nature of the work is here made plain to Western students as never before. The break-up of feudal China was followed by expansion and centralization under the Chin Dynasty, and this by a popular upheaval in 206 B. C. that brought in the house of Han, but after the restoration of order the influence of the Confucian system remained to control society and the state in Eastern Asia for twenty centuries. Dr. Yen's concluding chapter is a brief résumé of the movement in China for a written constitution, which, remote as it is in time from the fall of the Chow Dynasty, gains new significance to American observers when shown to be the first departure from an accepted tradition made in two thousand years of Chinese history.

F. W. WILLIAMS.

The Religious Life of Ancient Rome. A Study in the Development of Religious Consciousness from the Foundation of the City until the Death of Gregory the Great. By Jesse Benedict Carter. (Boston and New York, Houghton Mifflin Company, 1911, pp. 270.) The eight chapters of this book represent substantially an equal number of lectures delivered before the Lowell Institute in Boston in January of last year. In them Professor Carter traces the development of Roman religion from its earliest manifestations among an agricultural and pastoral folk, through the successive stages of Etruscan, Greek, and Oriental influence, down to its conflict with Christianity; and he then continues the story through Pope Gregory's reign and the end of the sixth century. Naturally, when covering so long a period, the author could give only the main outlines, and it was inevitable that he should state somewhat dogmatically certain things as accepted truths, although in reality they are still under debate. However no one will quarrel with him over these matters, for his survey of his large field is interesting and suggestive; his book meets a real need, no such survey has hitherto been available. Furthermore Carter has shown much skill in selecting the significant features of an age or movement and in presenting these vividly; he has also appreciated the value of great personalities, and has wisely made his last five chapters

centre about Constantine, Julian, Ambrose, Augustine, Benedict, and Gregory, for whom he secures an added interest by the recital of many anecdotes. If it be urged that the anecdotal element is somewhat large in the later lectures, it is only fair to remember that these chapters were lectures for popular audiences, whose attention was certainly won and held at the time of their delivery, as is the reader's now.

It is gratifying to find Christianity treated as an integral part of the period under consideration and not as something apart. In reality our faith can only be properly regarded as an Oriental religion, which had to make its appeal side by side with other Eastern faiths. Its victory was one proof of its validity. Carter has managed this part of his book so skilfully—but with all honesty—that no fair-minded person can fail to approve his method.

There are, however, a few queries which inevitably arise. Is it wise to state so certainly that the Etruscans came out of Babylonia (p. 19)? Was Mithras so much the supreme opponent of Christianity in the third and fourth centuries (p. 120)? And did not the Isiac communities at least have a "Church" organization as well as the Mithraists and the Christians? Although Mithras apparently had more devotees in the third century than any other Oriental divinity, he was far from completely overshadowing Isis or the Great Mother, and in the pagan revival of the fourth century he hardly had the chief place. Indeed Mithraism, *pace* Harnack and his followers, was not the sole or the greatest opponent of Christianity when the final struggle came. Again Carter's statement (p. 93) with regard to the association of the *taurobolium* with Mithras is not clear. Yet these are comparatively small matters which do not seriously affect the real interest of the book.

CLIFFORD H. MOORE.

Quellen zur Geschichte des Papsttums und des Römischen Katholizismus. Von Dr. Carl Mirbt, Professor der Kirchengeschichte an der Universität Marburg. Dritte verbesserte und vermehrte Auflage. (Tübingen, J. C. B. Mohr, 1911, pp. xxiv, 514.) An indication of the completeness of this "source book" on the history of the papacy may, perhaps, be found in the fact that after ten years' use so few changes have been deemed necessary. The second edition appeared in 1901 and consisted of 482 pages: this edition is increased by only 32 pages. The *format* of the book is, however, somewhat larger and the type smaller. Very few of the old texts have been omitted. No one will regret the ten which have been dropped. Some of them, such as the letter of John VIII. (no. 167) on the use of Slavic as a liturgical language, were of doubtful authenticity, and others of no general historical interest. One hundred and thirteen new texts have been added. These are unequally distributed among different epochs in the history of the papacy. For the early period there are several new extracts from the writings of Papias, Irenaeus, Hippolytus, Cyril of Alexandria, Augustine, etc., some con-

ciliar decrees of the synods of Illeberis, Arelate, and Nicaea, together with the Liberian Catalogue and the monastic rule of St. Benedict. A larger number of new documents have been added for the medieval period, dealing with the history of papal elections, the Carolingian Donations, the Eucharistic controversy, the Investiture struggle, and the conflict between the popes and the Hohenstaufen. There are few additions in the period between the Reformation and the beginning of the nineteenth century, the most notable, perhaps, being the Prophecy of Malachy. As might be expected, the largest number of new documents concern the current history of the papacy. These commence with the letter of Cardinal Rampolla (1900) on episcopal elections in Prussia, and end with the letter of Cardinal Merry del Val to Cardinal Kopp on the anti-modernist oath. In all there are twenty-eight of these documents. Among them are found the New Syllabus (1907), the Encyclical *Pascendi* on Modernism, and that on St. Charles Borromeo, to which is appended a list of documents dealing with the controversy to which this Encyclical gave rise in Germany. In the four supplementary sections there is much new material, especially on the "Los-von-Rom" movement in the Austrian Empire, and on some phases of the Modernist controversy in the church, the spirit of which is illustrated by extracts from the writings of Herman Schell, Joseph Schnitzer, George Tyrrel, and Alfred Loisy. It is unfortunate that a special list of texts from the Roman Breviary has been included, as these will have no value nor significance unless they are retained in the new edition of the Breviary which is now in course of publication. The work of revision has been done with painstaking thoroughness. Additional texts have been added to meet recent developments in the study of papal history; but in the choice of new as well as of old texts it is manifest that the author kept in mind pre-eminently the church in Germany and its relations with the papacy.

PATRICK J. HEALY.

A History of the British Constitution. By J. Howard B. Masterman, Vicar and Subdean of S. Michael's Collegiate Church, Coventry. (London, The Macmillan Company, 1912, pp. xiv, 291.) This little book has decided merits united with pronounced faults. In the brief compass of two hundred and eighty-four pages the author has condensed an unusual amount of information, most of it wisely selected and exceedingly worth while. Among other things, he presents a compendious account of the notable and complicated constitutional changes of recent years, both in the United Kingdom and in the colonies; of some, indeed, that are still in the parturition stage. Moreover, he sets forth his facts in a lucid and agreeable style, illuminating them by sage and suggestive comments. On the other hand, he has indulged in a luxury which the writer of a short treatise cannot afford: he has a number of pages of political narrative interspersed with his exposition of the evolution of the

institutions with which he is properly concerned. The method employed by Maitland in his *Constitutional History of England*, except perhaps in the matter of proportion, should be the model for any book on this subject. Also, Mr. Masterman is guilty of over many slips and errors for one so obviously at home in most parts of the field. Of these a few may be indicated. The Witan did not exercise "appellate" jurisdiction in the modern sense of the term (p. 16); the Statute of Mortmain of 1279 did not prohibit all donations to the church but only required a royal license (p. 23); the hoary error should not be repeated that the Exchequer got its name from a checkered table-cloth (p. 32); Henry II. did not introduce scutage (p. 37); the court of 1178 was not, strictly speaking, the King's Bench (p. 40); it is by no means certain that Glanvil was the author of the *Tractatus* (p. 44); in medieval Latin *eligere* did not necessarily mean "to elect" (p. 45); peers began to be created by "Letters Patent" before the fifteenth century (p. 75); in discussing the Five Knights' Case, wrongly dated by the way, there is no indication that the practice recognized by the judges was condemned by the Petition of Right (p. 138); in a somewhat obscure paragraph the impeachment of Macclesfield in 1725 seems to be left out of account (p. 165); the Houses of Parliament were burned in 1834 not in 1837 (p. 175); George III.'s first attack of insanity did not occur in 1788 but in 1765 (p. 176); Convocation was revived in 1852 not 1861 (p. 281). The *post-nati* might well have seemed to Englishmen the *pest-nati*. A superfluous "s" adorns the name both of William Longchamp and Sir James Parke. Finally the reviewer would venture to register another, doubtless ineffectual, protest against the misuse of "claim" in the sense of "maintain" (pp. 6 and 8). It is to be hoped that this otherwise excellent little treatise may reach a second edition when these blemishes may be corrected.

A. L. C.

The Oak Book of Southampton of c. A. D. 1300. Transcribed and edited, with translation, introduction, notes, etc., by P. Studer, M.A., Professor in Hartley University College, Southampton. Volume II. *A Fourteenth Century Version of the Medieval Sea-Laws known as the Rolls of Oleron.* Also, *Supplement. . . . Notes on the Anglo-French Dialect of Southampton.* [Publications of the Southampton Record Society.] (Southampton, Cox and Sharland, 1911, pp. lxxi, 145; vii, 155.) The second volume of the *Oak Book* is almost as interesting and important as the first. It deals chiefly with the external politics of Southampton. Chapters v. and vi. give two tables of customs showing the commodities in which Southampton traded in the thirteenth and fourteenth centuries. Chapter vii. contains an elaborate list of the weights of various kinds of bread according to the price of corn, compiled for the use of the bailiffs who supervised the assize of bread. The first two folios of the assize are printed in full, the remainder in tabulated form.

The most valuable section of this part of the *Oak Book* is chapter ix., containing "a fourteenth century version of the Charter or Rolls of Oleron, the famous sea-laws of the Middle Ages". Few of the texts already published belong to so early a period as the fourteenth century, and "no where perhaps has the original been preserved so faithfully as in the *Oak Book*". The editor has collated the chief versions still extant to show the superiority of the Southampton text. This section of the *Book* had not even been identified till its title "*Ceo est la charte Doylyroun*" suggested to Professor Studer a connection with the Rolls of Oleron, which was verified later by careful examination and comparison. This led to a critical review of the entire question of the Rolls and their origin. He gives theories of Verwer, Pardessus, Twiss, and Kisselbach. He finds a number of interesting and important variations in the Southampton text, which are likely to aid in reconstructing the lost original of these Rolls. He accepts the view of Kisselbach that the Rolls of Oleron were originally "a compilation of customs observed by the mariners of the Gironde, especially those engaged in the wine trade". Thence they naturally found their way to England through the connection of the Plantagenets with Aquitaine. Just when this occurred is not known, but in the reign of Edward III. the Rolls had already acquired the status of laws in England. Each of the first twenty-four articles contains a mere statement of a custom and invariably ends with, "And this is the judgment in this case". The twenty-fifth article, found only in the Southampton text, reads more like an ordinance, or some other royal instrument, but ends as the others end. These Rolls had a wide circulation, and an intimate connection with Southampton as a centre of international trade.

C. T. WYCKOFF.

Ibrahim Pasha, Grand Vizir of Suleiman the Magnificent. By Hester Donaldson Jenkins, Ph.D., Former Professor of History in the American College for Girls, Constantinople. [Columbia University Studies in History, Economics, and Public Law, vol. XLVI., no. 2.] (New York, Longmans, Green, and Company, 1911, pp. 123.) Miss Jenkins has chosen a subject which lacks neither historical nor romantic interest. Save for the sultan himself, Ibrahim Pasha may pass as the greatest figure in the most brilliant reign of Turkish history; and one might take his career as a classic example of the sudden elevations and abrupt downfalls so common in the lives of Oriental adventurers of genius. Starting as a slave, of Christian extraction, Ibrahim became the all-powerful favorite, chief minister, and *alter ego* of Sultan Suleiman. Pacificator of Egypt, victor at Mohács in 1526, besieger of Vienna in 1529, conqueror of Bagdad and Tabriz, negotiator of the first Franco-Turkish alliance and of the famous "capitulations" of 1535, Ibrahim certainly played a great rôle in the world. And then, in 1536, came the tragic ending—the murder, at the sultan's orders, of a servant whose head had been turned by power.

The author's account is broadly conceived, well written and never dull. Some years' residence in Constantinople gives the touch of personal experience to her discussion of Turkish character and customs, while it has also enabled her to make use of various Turkish chronicles and recent histories, a few of which have not been utilized by previous writers on this subject.

It can hardly be said, however, that Miss Jenkins has added appreciably to our knowledge of Ibrahim's life, over and above what may be gleaned from Hammer, Jorga, Ursu, Lamansky, and other well-known works. In fact she omits much that has previously been brought to light. The reader who turns to this book for a detailed and exhaustive account of all that can at present be known about Ibrahim, will hardly be satisfied. Moreover, the work suffers from inaccuracy and carelessness. The least that one can expect from a biography of a great minister is to learn the exact date of his ministry. After making Ibrahim a vizir from 1520 on (for which one would like to know the authority), Miss Jenkins appoints him Grand Vizir in 1522, while the correct date is almost certainly 1523, and she places his murder on March 6, 1536, instead of on the well-attested date, the 16th (21 Ramadan, A. H. 942). The already too lengthy list of *errata* might easily be doubled: *e. g.*, "Belgrad" (p. 90); "Roumelie" (p. 96); "Mohacz" (p. 61); "Cantimir" (p. 19 and *passim*); "Burg" (p. 121, Professor J. B. Bury). The bibliography might have been improved, if only through consulting that in the *Cambridge Modern History*.

R. H. LORD.

Bussy d'Amboise et Madame de Montsoreau, d'après des Documents Inédits. Par Léo Mouton, Bibliothécaire à la Bibliothèque Nationale. (Paris, Hachette et Cie, 1912, pp. vi, 358.) One regrets that the time and training of a former pupil of the École des Chartes and now a member of the staff of the Bibliothèque Nationale should have been expended upon so profitless a subject when the biographies of really important men, like Damville for example, are still unwritten. The author seems to have derived little from his modern masters and to have drunk too deeply of the waters of the romantic school. The book is a pale reflection of Prosper Mérimée. M. Mouton tells us in the introduction that d'Artagnan, Bussy d'Amboise, and La Dame de Montsoreau are "types"; that his labor has been "à chercher ce qu'il y a de vrai dans le récit de Dumas"; that as in "zootechnie" many generations are required to fix a type, so sixteenth-century France produced a typical form of mankind in Bussy d'Amboise. After that "la nature semble fatiguée"—there are no more Bussys. The first page opens with a "once upon a time" overture of the romantic novel and continues so to the end. There are descriptions of the face, figure, and attire of numerous gentlemen and ladies that remind one of Mrs. Elliot's *Romance of Old Court Life in France* (*e. g.*, the word-portrait of Crillon on p. 15). The very chapter

rubrics are salaciously "romantic"—"Une grossesse problématique—L'oncle influent—Le postscriptum d'une jolie nièce—Un ménage uni", etc. Bussy is cast in heroic mold throughout. In 1578, when Anjou's Flemish plans and Elizabeth's coquetry complicated the diplomacy of France and England Bussy is "tout-puissant". Yet Major Hume managed to write a capital work upon the *Courtships of Queen Elizabeth* and only mention him three times. As a study in the sources of Dumas the book may be of some interest, but as a serious contribution to history it is of little value.

J. W. T.

Historical Portraits, 1600-1700. The lives by H. B. Butler and C. R. L. Fletcher, the portraits chosen by Emery Walker, with an introduction by C. F. Bell. (Oxford, Clarendon Press, 1911, pp. 325.) There is no student of seventeenth-century English history but will welcome the appearance of this interesting volume. It is true that the work of Lodge has been available in various forms for nearly a hundred years, and that many illustrated and extra-illustrated volumes like the Goupil Stuart series, Morley's *Cromwell*, the Oxford portraits, with lives of Vandyck and Lely, even such publications of the beauties of this court and that, with the portraits in illustrated magazines and art periodicals, have given us a tolerably full seventeenth-century gallery. Yet to have this collection of more than a hundred and thirty portraits in cheap and convenient form is a very desirable thing. Comparison with any publication but that of Lodge is virtually impossible, and it is interesting to observe the resemblances and differences. It is, of course, obvious that improved processes of reproduction give the present volume enormous superiority on the mechanical side. With regard to the relative literary tone and political bias one voice may speak for all. Of Cromwell's reputation Lodge wrote, "no flaming Whig pen has yet attempted to varnish it with eulogies—the fierceness of democracy has not furnished a single champion to bedaub it with coarse and plain-spoken praise". "Of his lofty aims and disinterestedness", say the present editors, "there can be no doubt. . . . Whatever his failings and mistakes, he was a man of great purpose and great mind, above all of a great spirit, which refused to believe that there was any task which an England reinspired by Puritanism was incapable of fulfilling."

With regard to the individuals selected for such a commemoration as this there may, of course, be as many opinions as there are men to voice them. On the whole there are fewer women and more commoners than in Lodge, and the proportion of non-courtly, non-military, and non-official elements is so large that while it detracts from picturesqueness it adds to the interest. In those numerous cases where the same individual finds place in Lodge a different portrait seems to have been generally chosen. The introduction is excellent, the sketches usually good. But the arrangement, so far as a layman can judge, seems rather hopeless.

Neither exactly logical nor precisely chronological, it seems a not very successful compromise between the two. Moreover it is a grave error of judgment not to provide such a volume as this with at least an alphabetical list of portraits, if not an index. The one serious criticism which can be levelled against it is that it is so difficult to discover whether a particular individual's likeness is to be found here, and, if so, where it is.

W. C. A.

Cardinal de Retz, 1613-1679. By David Ogg. (London, Methuen and Company, 1912, pp. xi, 282.) This is the first biography of de Retz to appear in English. The author evidently wrote it while he was still an undergraduate at Oxford. His courage, in attacking a subject of peculiar difficulty at such a tender age, is to be commended. He has not aimed to be exhaustive, but he has made some use of the sources, both printed and unprinted, and has managed to throw fresh light upon one episode at least of the cardinal's career—namely, his supposed visit to England in 1660.

The book reveals the faults to be expected in an undergraduate essay made over for popular use. It is too slight for the close student and it takes too much for granted to satisfy the casual reader. In his chapters on the Fronde the author might well have sacrificed some of his details to make place for a brief, clear analysis of the movement as a whole. It would have served to explain some statements which, as they stand, are misleading—for instance, when he speaks of the "representative character" of the *Chambre de Saint Louis* and of its giving "a constitutional sanction to the parliamentary opposition" (p. 27). His estimate of de Retz himself lacks precision and consistency. We are advised at the outset that he was one of those "who in an irresponsible way were profiting by the universal disorder" (p. 53), but are subsequently informed that he was the "first practical exponent" of "the political ideals of the Revolution of 1789" (p. 251). These two statements are hardly compatible. They leave us, at the end, still groping for a final judgment.

In an appendix, the author discusses his sources and furnishes a useful list of the most valuable monographs upon his subject.

CONYERS READ.

Four Phases of American Development: Federalism—Democracy—Imperialism—Expansion. By John Bassett Moore, LL.D., Professor of International Law, Columbia University. (Baltimore, The Johns Hopkins Press, 1912, pp. 218.) Professor Moore's volume contains the lectures given on the Schouler Foundation at the Johns Hopkins University in April, 1911, treating of American history under four selected aspects. Of the four chapters, the first two on Federalism and Democracy cover familiar ground from the customary point of view, throwing a little more than the usual emphasis, perhaps, on legal and international generalizations. The third chapter, under the heading Imperialism,

describes the extension and exaltation of central authority which began during the Civil War and has continued ever since. Apparently the author seems to mean by the term imperialism a process which most writers would hesitate so to characterize. Imperialism has always carried with it a connotation of despotic power if not of actual usurpation, and to apply the term to the necessary, apparently inevitable, assumption of control by the general government over matters which are beyond the control of any state or group of states is an innovation. In the last chapter, on Expansion, Professor Moore is at his best, dealing in authoritative and penetrating style with the history of American territorial expansion. Having shown how ludicrously we acted in suddenly discovering our status as a "world-power" in 1899, he comments destructively on our complacent assumption that we are in unique degree a peace-loving people. In fact, he concludes, history shows that the countries where universal military service prevails are less likely to rush into war than those where the people know nothing of the real significance of fighting.

In lectures of this sort, the author is almost certain to make generalizations with which a reader might be inclined to take issue. In the first chapter for instance the unqualified statement is made that the Revolution was directed against the English commercial regulations, and the Constitution is represented as the matured plan of the "American People". The most striking feature is perhaps the treatment of the Civil War, for which the Confederate name "War Between the States" is used. Ascribing the trouble to the abolitionists, whose abuse forced the South to take defensive measures, Professor Moore describes the slavery controversy as a "contest, upon the fair settlement of which any three intelligent and disinterested men, whose minds were not biased by partisanship, should have been able to agree in half an hour". Such a recrudescence of the views of Stephen A. Douglas and Henry Clay is rather startling in a book which professes to analyze "causative facts", and it is not likely to command general assent.

T. C. SMITH.

The Prehistoric Men of Kentucky: a History of what is known of their Lives and Habits, together with a Description of their Implements and other Relics and of the Tumuli which have earned for them the Designation of Mound Builders. By Colonel Bennett H. Young. [Filson Club Publications, no. 25.] (Louisville, John P. Morton and Company, 1910, pp. xiii, 343.) This royal quarto volume deals chiefly with the implements, ornaments, weapons, and utensils used by prehistoric men in the state of Kentucky. Colonel Young has been an indefatigable collector of various artifacts left by the primitive peoples of the Middle South. A perusal of his book indicates that he has concentrated his studies on the implements, objects of utility, and problematic forms, rather than upon the earthworks or monuments. His descriptions of art

in stone, shell, clay, and textiles, are quite satisfactory. He does not especially concern himself with a study of primitive cultures found in Kentucky.

On page 294 begins his narrative of discoveries in Kentucky caverns. I am sure archaeologists would have been grateful had Colonel Young devoted more space to a detailed study of man's handiwork as found in these caverns. Aside from what little Professor Putnam has published regarding the caves of Kentucky and Tennessee, we have a dearth of knowledge concerning this interesting phase of prehistoric life. There are many objects in Colonel Young's collection taken from caverns, but apparently numbers of these were removed by ignorant persons who were not competent to make observations. In other words, we have a great deal of material, especially in textile and wooden objects, but very little detailed description of conditions under which they were found. Colonel Young devotes thirty-five pages to a description of the caverns, and he might with profit have added a hundred.

It would seem that the Indians resorted in numbers, not only to Mammoth Cave but to both Salt Cave and Colossal Cavern, as well as to other places, all within ten miles of Mammoth Cave. Darkness did not deter them from leaving abundant traces of their occupation. The great quantity of cane and pine torches would indicate that they came to the caverns prepared to stay for some time. Hundreds of fragments of gourds, great quantities of sandals and moccasins, pieces of cloth, mats, leggins, ropes, cords, and garments, made of wild hemp, coarse cloth—all of these indicate that the aborigines did not visit the cavern out of mere idle curiosity but for some special purpose. Beyond question, there should be a complete exploration of these caves by competent scientists before all the material is removed.

We must express our gratitude to Colonel Young for presenting so interesting and instructive a study. These volumes cover much new ground, and Colonel Young's publication should form the basis for a thorough and systematic study of the cave occupation of Kentucky in prehistoric times. His large exhibit should be preserved in some fire-proof museum.

Providence in Colonial Times. By Gertrude Selwyn Kimball, with an introduction by J. Franklin Jameson, LL.D. (Boston and New York, Houghton Mifflin Company, 1912, pp. xxi, 392.) Miss Kimball's *Providence in Colonial Times* is a book which will appeal primarily and especially to the people of Providence itself, but which can hardly fail to be of interest to Rhode Islanders generally and to students of New England life.

Roger Williams—literally the first citizen of Providence, and the subject of varied literary portrayal—receives at Miss Kimball's hands treatment both discriminating and sympathetic; and the same may be said of his successors, the merchants, the Crawfords and Browns, the clergy-

men, Checkley and Cotton, and the statesmen, Jenckes and Hopkins. What pre-eminently distinguishes Miss Kimball's book is its intimacy of touch. In the better sense, it is the "true" history of Providence. Through its pages we meet the seventeenth and eighteenth-century worthies of the town, self-revealed in personal and business correspondence and the inventories of estates. "My Dear Love", writes Roger Williams, despatching to his wife a discourse from England, "I now send thee that which I know will be sweeter to thee than the Honey and the Honey-combe. . . I send thee (though in Winter) an handfull of flowers made up in a little Posey, for thy dear selfe and our dear children, to look and smell on, when I as the grasse of the field shall be gone, and withered." And it is John Brown, the future East India merchant and owner of the mansion on Power Street, who in 1749 adorns his "Cyphring Book" with the legend: "John Brown the Cleverest boy in Providence Town".

Indeed for the non-Rhode Islander the chapter The Shipping Trade is the most vital of the book; its paragraphs not only exhale rum and molasses, they introduce us to the slave-trade and to Spanish gold. "By all means", wrote James Brown (the father of John) to his brother Obadiah, in 1737, "make dispatch in your business if you Cannot Sell all your Slaves to your mind bring some home I believe they will Sell well, gett Molasses if you can, and if you Cannot come without it, leave no debts behind upon no Account, gett some Sugar and Cotton if you Can handily, but be Sure make dispatch for that is the life of trade."

In the chapter, Rhode Island College, Miss Kimball fails not to do justice to the early days of Brown University. "No student", she says, "could be out of his room after nine in the evening, nor was he then, nor at any other time, permitted to play 'at cards or any unlawful games, swear, lie, steal, or get drunk . . . or attend at places of idle and vain sports.' During the 'hours of study' (from nine to twelve, from two to sunset, and from seven to nine) no language save Latin might be spoken in the college edifice, or the college yard."

Miss Kimball did not live to finish the study of Providence which she had planned, but the present volume is complete for the colonial period. The introduction, from the pen of Dr. J. Franklin Jameson, commemorates the author in words of rare appreciation and sympathy; the letter-press is admirable; the illustrations, of which there are about fifty, are suitably chosen and well executed; and there is an ample index. An inquiry suggests itself: May it be assumed that the portrait of "Governor William Coddington" is the portrait of William Coddington, sr. (governor, 1674-1676 and 1678), and not that of William Coddington, jr. (governor, 1683-1685)?

I. B. R.

Narratives of Early Pennsylvania, West New Jersey, and Delaware, 1630-1707. Edited by Albert Cook Myers, with maps and a facsimile.

[Original Narratives of Early American History.] (New York, Charles Scribner's Sons, 1912, pp. xiv, 476.) This volume of the series of *Original Narratives of Early American History* is one of the most interesting so far published. The three colonies here represented differed in many important respects from the others; Pennsylvania, in particular, has a unique history well worthy of careful study, which the present volume will greatly aid.

In works composed of selections there will always be a difference of opinion as to choice of material, but this volume leaves little to be desired. The most important narratives are included, and the introductions and notes, though brief, are scholarly and helpful, and appear to be unusually accurate.

There is much that will be new to the average student in the documents relating to the Swedish settlements on the Delaware, and the editor deserves hearty thanks for furnishing so much material which, except to the very few, has been practically inaccessible on account of the rarity of the originals and their being in Swedish. Even those portions which may be in Professor Amandus Johnson's portly volumes would be out of the reach of many on account of the cost of that valuable work.

It is probably because Dankers and Sluyter's Journal is to be included in the series that no extracts are included from that graphic and rather caustic record; but at the same time a few pages would have been a valuable addition, for they give a view of the country and people not to be obtained elsewhere, and the absence is a distinct loss to those who might not feel able to purchase both volumes.

Little notice is taken of the Welsh settlers. Indeed, except in the introduction and notes to the "Letter of John Jones", this important element of the Pennsylvania colony is practically untouched. It is true that material is scarce, but the letter of Rowland Ellis, 1698 (*Pennsylvania Magazine of History*, etc., XVIII. 245), would have given some information of interest, and the "Memorial of Inhabitants of the Welch Tract, 1690" (*Pennsylvania Archives*, first series, I. 108), though not exactly a "narrative" would have thrown considerable light on the condition of affairs in 1690.

One of the most interesting narratives included is Pastorius's *Pennsylvania*, a tract now for the first time available in a complete English translation. The general editor is to be congratulated on his version, in the metre of the original, of Pastorius's "Letter to Tobias Schumberg" (p. 422). He has caught the spirit of the original with fidelity, and the rhyming is skilfully handled. The note relative to Philip Ford (p. 404) might have been profitably extended so as to give some account of Penn's injuries at the hands of Ford. The volume is a welcome addition to the series.

ALLEN C. THOMAS.

New Jersey as a Royal Province, from 1738 to 1776. By Edgar Jacob Fisher, Ph.D. [Columbia University Studies in History, Economics,

and Public Law, vol. XLI.] (New York, Longmans, Green, and Company, 1911, pp. 504.) This volume treats of the experience of New Jersey as a royal province, separate from New York. The writer describes in much detail the component parts of the government—governor, council, and assembly, with hastily-sketched estimates of some of the more prominent figures. A review follows of The Proprietary System and the Land Troubles, which were largely due to the prevalent spirit of unrest among the people, and their aspirations for freedom, coupled with exasperating questions of title to great tracts of land in several sections of the province. The Elizabethtown Purchase of December 1, 1664, did *not* embrace Newark and Bergen, as stated on page 176. The boundary dispute with New York, relative to the northern boundary of New Jersey, is detailed at much length, although the subject has been exhaustively presented in the volume of documents relating thereto, published by New York in 1884, and in the report thereon, issued by that state in the same year. In the chapter on The Judicial System, not enough prominence is given to the change in the term of judges from *quamdiu se bene gesserint* to *durante bene placito*, which ultimately was set forth by the United Colonies as one of the grievances which moved them to their Declaration of Independence. The Financial System is well explained, and the activities of New Jersey in the colonial wars are duly set forth. The chapter on Religious and Social Conditions omits, curiously enough, any mention of the German Lutherans, who had numerous churches in Bergen, Hunterdon, Somerset, and Morris counties especially. It is remarked, moreover, that "Religious toleration was the natural result of the heterogeneous population of New Jersey" (p. 361), whereas, it was expressly provided for in the "Concessions and Agreements" of the Lords Proprietors of New Jersey, of February 10, 1664/5 (*N. J. Arch.*, first series, I. 30). New Jersey and Parliamentary Taxation is next discussed. The Overthrow of Royal Government is narrated in a chapter of remarkable power, lucid in style and stirring in diction, in which an excellent view is given of the character and conduct of William Franklin, the last of the royal governors, under most trying circumstances. The people of Cumberland County will consider unpardonable the failure to mention the burning of a cargo of imported tea at Greenwich on the night of December 22, 1774 (Elmer, *Hist. of Cumberland County*, p. 15, gives the date wrongly as November 22). By an unfortunate oversight (p. 371) it is stated that Parson James Caldwell was "murdered by the British at Connecticut Farms", whereas it was his wife who was the victim of that shocking affair (June 8, 1780), the parson himself being shot a year and a half later (November 24, 1781), by an American soldier, who was promptly convicted of murder, and hanged January 29, 1782.

WILLIAM NELSON.

Journals of the House of Burgesses of Virginia, 1712-1714, 1715, 1718, 1720-1722, 1723-1726. Edited by H. R. McIlwaine. (Richmond,

1912, pp. lii, 441.) The sumptuous style of this publication has been spoken of in reviews of previous volumes. Now that Mr. McIlwaine has worked his way back into the period when the journals exist only in manuscript (in the British Public Record Office) he feels it necessary, in the effort to reproduce the manuscripts as exactly as possible, to make use of a number of special characters cast for the purpose, such as one representing the manuscript's symbol for the *-lemen* of *gentlemen*. Such Chinese fidelity the reviewer cannot approve. It is "a passed mode". If the manuscript had been put into type in 1712, the word *gentlemen* and the others would have been printed in a full and easily intelligible form. What is gained by not doing this now?

The volume covers ten sessions of five assemblies. To go back to the beginning of the separate existence of the House of Burgesses in 1680, some thirty sessions, will take three or four more volumes. Already we have got back to days when the house was a small body—only 51 members in 1712, two for each of 25 counties, and one for the "rotten borough" of Jamestown. In this small body there was a certain amount of small politics, a certain amount of manoeuvring against the governor, and in 1718 the burgesses began appointing a separate agent. But on the whole Spotswood, lieutenant-governor in the time of all these assemblies but the last, gave satisfaction, secured harmony, and gave the colony a Walpolian era of quiet and of economic development. Mr. McIlwaine suspects that his sudden recall in 1722 was due to the displeasure of the Lords Justices and the Board of Trade at the way in which he had allowed lands in the new county of Spotsylvania to be entered for patent.

Spotswood's letters, already published, cast much light on the history of the legislation of these sessions. It is a tribute to his skill in keeping good relations with the representatives of the colony that so much of that legislation was framed on his initiative. The most important acts were the tobacco act of 1713, which not only instituted an adequate inspection but operated to give permanent form to Virginia's currency and in general to determine the future of salaried officers and clergymen; and the act of 1723 which formed the basis of all future enactments on the trial of slaves.

Mr. McIlwaine's introductions, tables of members, and indexes continue to be excellent.

Studies of the Niagara Frontier. By Frank H. Severance. [Buffalo Historical Society Publications, vol. XV.] (Buffalo, Buffalo Historical Society, 1911, pp. 437.) This volume contains fourteen papers or essays "destined primarily for members of the Buffalo Historical Society" of which the author has been the efficient secretary and editor of publications for the past ten years. The character of most of these may be sufficiently indicated by their titles: Early Literature of the Niagara Region; Nineteenth Century Visitors who wrote Books; The Niagara

Region in Fiction; a Dreamer at Niagara: Chateaubriand in America; The Niagara in Art; John Vanderlyn's Visit to Niagara in 1802; The Niagara in Science; Historical Associations of Buffalo; On the Niagara Frontier with Harriet Martineau; Narratives of Eighteenth Century Visitors to Niagara. Although the Niagara Region is particularly defined "as the whole mid-lake region through which the Niagara runs", in early days the objective of the traveller was invariably Niagara Falls and in reading these papers it will be found that Niagara is generally used to designate the cataract and little more. As a matter of fact for about thirty years (1782-1812), the scanty settlements in the neighborhood were mainly confined to the Canadian side of the river and in these Mr. Severance takes little interest. No printed source of any importance has escaped his attention and his numerous extracts have been made with commendable accuracy and good taste. But as these articles were in the first instance designed rather to be heard than read, the author has adopted "a certain familiarity of discourse which it is hoped will not lessen the value of what is offered". Much of the comment or connecting narrative is accordingly written in a mildly humorous tone well calculated to amuse a casual audience.

In the concluding paper the accounts of their visits to Niagara Falls by seventeen travellers during the eighteenth century, beginning with Hennepin and ending with Charles Williamson, have been reprinted, in several instances from rather rare volumes.

The book is well printed, well bound, and provided with a satisfactory index. The proof-reading has been well done and but one misprint of consequence has been noted. Dallion (pp. 10 and 429) should be Dailion.

E. A. CRUIKSHANK.

The Abolition Crusade and its Consequences: Four Periods of American History. By Hilary A. Herbert, LL.D., with a prefatory note by James Ford Rhodes. (New York, Charles Scribner's Sons, 1912, pp. xiv, 249.) The author writes from a Southern view-point, but seeks nevertheless to present the facts fairly and to distribute praise and blame to either side in the controversy as seems meet. The four periods to which the title makes reference are: the anti-slavery crusade, 1831 to 1860; secession and war, 1861 to 1865; reconstruction, 1865 to 1876; and the restoration of self-government in the South. It is the first of these periods with which the author principally concerns himself, devoting three-fourths of the book to its consideration. In the opening chapter he discusses the doctrine of secession and the principal instances of disunion sentiment prior to the Civil War period, emphasizing the conclusion that the spirit of nationality was a growth, although a rapid growth after it had fairly begun. The greatest contributing cause of this growth, he believes, was Webster's speech in the Senate in reply to Hayne, January 26, 1830. In tracing the history of emancipation sentiment the author points out that sentiment and activity in favor of

emancipation prevailed widely in the South until the radical teachings of the Abolitionists caused a reactionary movement in defense of slavery. From the rise of the Abolitionist propaganda the struggle of opposing ideas is forcefully though compactly presented. The book is designed especially for the general reader and as a candid presentation of the most important facts as the author sees them should prove helpful toward an understanding of the anti-slavery movement.

Statesmen of the Old South or From Radicalism to Conservative Revolt. By William E. Dodd, Ph.D., Professor of American History, University of Chicago. (New York, The Macmillan Company, 1911, pp. ix, 242.) This volume contains sketches of Thomas Jefferson, John C. Calhoun, and Jefferson Davis, the successive expounders of the doctrine of state sovereignty. Of this phase of Jeffersonian democracy the book is designed, as its subtitle indicates, to give a continuous history. While Calhoun and Davis both considered themselves as followers of Jefferson and expounders of his teachings, Professor Dodd does not believe that Jefferson, with his insistence on human as against property rights, would ever have acknowledged as his political offspring men who employed his particularist doctrines in defense of slavery and protected interests. For he holds that Jefferson's party, like most parties which remain long in power, was gradually transformed from a body of militant reformers into a party of conservatives or "stand-patters", from "an organization of small farmers and backwoods men, idealists in governmental theory", into an organization which was dominated by cotton and slavery, the protected interests of that day.

With the author's economic interpretation of history we are in general accord. We believe that sectionalism was based on fundamental economic differences rather than on political theories or moral issues. When the South was divorced from political alliance with the West and found itself in the minority on questions which were deemed vital to its welfare, it did what every other section which has been compelled to act on the defensive has done: it intrenched itself behind the doctrine of states' rights. As Professor Dodd shows, Calhoun and Davis were both nationalists as long as the interests of their section permitted it, but they were nationalists, "who, like most, if not all, other leaders in American public life, demanded first protection to [their] constituents". As Calhoun forced the Union to terms in 1833, so Davis, who was opposed to secession in 1860, hoped to the last to effect a compromise that would be permanent and satisfactory to the South.

Professor Dodd likes to interpret the past in terms of present-day conditions, and he has a tendency to apply to men and measures the tests of his own radical democracy. Some of his generalizations in this connection are rather sweeping, not to say startling. For instance: "The only essential difference", he says, "between the magnates who exploit

the resources of the country and rule the Senate in 1911 and their predecessors of 1861 is the lack of a general belief in a doctrine of states rights which would justify secession". Again, he is taking great liberty with Thomas Jefferson to assert that, were he still with us, he would uphold "the democracy of Lincoln as against slavery, of Bryan as against Wall street, of the West as against the East. Jefferson would have been a populist in 1892 or an insurgent in 1910"!

While this book appears to be a by-product of the author's well-known life of Jefferson Davis, it gives more complete expression to some of the views advanced in that volume and strengthens many of the conclusions there stated. The style is clear, forceful, and interesting. There is not a dull paragraph in the entire volume. We hope that Professor Dodd will continue his work in a field which gives scope for his talents and promises such rich results.

Jefferson's income from his law practice should be \$3,000 and not £3,000 as stated (p. 10), and the references to the Panama Canal project (p. 205 and elsewhere) should be to the Central American Canal.

JOHN HOLLADAY LATANÉ.

The Civil War Literature of Ohio: a Bibliography, with Explanatory and Historical Notes. By Daniel J. Ryan. (Cleveland, Ohio, The Burrows Brothers Company, 1911, pp. ix, 518.) As the author indicates, this is vastly more than a bibliography. It is, in part, a list of references to books and pamphlets by Ohio writers or by others writing in relation to Ohio; in part, a biography of these writers; in part, a history of the war. The eight hundred and ninety-nine references, on four hundred and sixty-nine pages, do not attempt to exhaust the subject. Most of the pieces referred to (620), are in the author's library. In the preface the author classifies the books and pamphlets as Official Documents; Army Organizations; Speeches, Addresses, and Sermons; Ohio Commandery of the Loyal Legion; Grand Army of the Republic; Military History; Miscellaneous. The references, however, are not given under these classifications, but in alphabetical order. The arrangement is not always good. The "Fighting McCooks" is found under "Brief". Each reference has been carefully examined and usually has an analysis and the author's comments. In some cases, long quotations follow. On pages 437-438, a five-stanza poem is quoted. The real service rendered is the reference to the pamphlet literature. The speeches of various members of Congress from Ohio are limited to those which exist in pamphlet form. The *Congressional Globe* might have furnished more material. No mention is made of the writings of James Ford Rhodes, an Ohio man. On page 375, commenting on J. W. Schuckers's *Life of Salmon P. Chase*, the author says, "Of the several lives of Salmon P. Chase, this is the best." He makes no reference to the *Life of Chase* by Albert Bushnell Hart, who was for years a citizen of Ohio. The comments are sometimes rather broad. There are frequent uses of the

superlative. In controversies the author is biased. Page 461, Worthington's book, opposing Grant and Sherman, "is of no value from a historical standpoint". Page 74, he omits Illinois in naming the states that by convention ratified the Corwin Amendment. Page 15, Lincoln signed the act referred to on April 16. An index of 47 pages, makes a serviceable volume of one that would otherwise be difficult to use.

THOMAS N. HOOVER.

The Kentucky Mountains: Transportation and Commerce, 1750 to 1911: a Study in the Economic History of a Coal Field. By Mary Verhoeff. Volume I. [Filson Club Publications, no. 26.] (Louisville, John P. Morton and Company, 1911, pp. xiii, 208.) Miss Verhoeff's work would in any event be a welcome addition to our knowledge of an interesting region, but it has an especial value at this time when the Kentucky mountains are attracting attention because of their importance as a great coal field. The geographic factor is always of importance in determining the lines of commerce, and in eastern Kentucky the mountains have constituted an unusually severe limitation upon transportation and the development of commerce. The author therefore begins this study with an examination of the physiographic, topographic, and geologic conditions which are of fundamental importance, including a brief investigation into the demotic composition of the inhabitants of the region and a presentation of the economic problems which have confronted them. A chapter (some twenty pages) is devoted to an account of the trails made by the early hunters and explorers, 1750-1775, or by the buffaloes and Indians before them, and followed by the pioneers. The first step toward the improvement of the roads, or rather the conversion of the trails into wagon roads, was made by the Transylvania Company in 1775, and after that by the state of Virginia until the separation of Kentucky in 1792. The lack of good connecting roads was indeed a determining factor in that separation. Road development was thereafter desultory until 1834, when under the influence of the wave of internal improvements the state of Kentucky undertook large projects in road-building, which, however, fell to the ground when the panic of 1837 came on. By 1850 practically the entire business of road-building had been turned over to the several counties, but the heavy cost of construction, practically prohibitive for communities with small resources, was a bar to any substantial advance. The history of road-building has been traced by the author largely through legislative enactments, but materials from a great variety of other sources have been added, largely in foot-notes, which all but equal the text proper in quantity. What was actually done toward carrying out the provisions of the laws is not always so clearly set forth. What the author may purpose to include in a second volume, which seems to be promised, we are not told; but a real desideratum is a larger investigation into the actual life and conduct of commerce. This phase of the subject is not alto-

gether neglected but is treated in a manner rather incidental to the study of the construction of lines of travel and transportation. One interesting phase of water transportation in particular, the floating of logs loose or in rafts out of the remote mountains, ought, because of its importance in the lumber business of Kentucky, not to speak of the picturesqueness of its methods, to receive in a history of transportation in the Kentucky mountains more than a passing notice. The volume contains several useful maps such as a section of the Pownal-Evans map showing the "Warrior's Path", 1755-1775, and Imlay's map of Kentucky, 1793, but a real defect of the volume is the lack of one or more good modern maps, particularly one which would show clearly and accurately the mountain, river, and valley systems. There are also several excellent illustrations of characteristic mountain scenes. In typography and form the volume possesses the usual attractiveness of the Filson Club publications.

The Pathbreakers from River to Ocean: the Story of the Great West from the Time of Coronado to the Present. By Grace Raymond Hebard, Ph.D., Professor of Political Economy, State University of Wyoming. (Chicago, The Lakeside Press, 1911, pp. x, 263.) While many books have been written about the explorers of the East, "the West, or that land situated between the Mississippi and the western coast, has not received its due attention in school book form". This is the author's justification for this book, and a partial explanation of its title. In further explanation, it should be said that under "pathbreakers" are included not merely the first explorers and fur-traders but missionaries, miners, soldiers, "cows and cowboys", and even railroads.

Miss Hebard realizes that "the wonderful story is too long to appear between the covers of any one book", but she has persisted in the hope that new interest in the subject may be awakened. The result is a somewhat miscellaneous collection of short descriptive articles on the subjects indicated, with many good illustrations and a few confusing maps. Single facts are accurately stated, but some of the accounts are so condensed as to be almost misleading. The presentation is irregular, and sometimes it is far from clear. Consequently the impressions left from reading the book as a whole are apt to be confused. The style is not easy, and occasionally lapses into unfortunate expressions, as where the Astor land party in 1811 "found Daniel Boone, still squatting on the farthest frontier" (p. 52).

These things, in the opinion of the reviewer, will interfere with the success of the author's praiseworthy attempt. They may be offset by the convenience of having so much information in so small a compass, and by the good illustrations. A few references at the end of each chapter, and a brief index at the end of the volume, are useful.

MAX FARRAND.

The American Year Book: a Record of Events and Progress, 1911. Edited by Francis G. Wickware, B.A., B.Sc. (New York and London, D. Appleton and Company, 1912, pp. xx, 863.) Several changes in the interest of simplicity are noted in the present *Year Book* when compared with the initial volume of 1910. Analysis of topics has been worked over, some new subjects have been introduced, a few dropped out, and others combined in a new arrangement. The scope of the work remains as originally planned. Mr. S. N. D. North, who edited the first volume, has been succeeded by Mr. Francis G. Wickware. The department of Comparative Statistics now has an added section on Problems of Population; Functions of Government and Government and Administration have been merged under the single head of Government; History is now treated under two heads, American and Foreign; Public Works and National Defense is a new department formerly included under Functions of Government. There is also a new section with the title Public Service. It is written by Richard Compton Harrison, assistant counsel to the Public Service Commission of the First District of New York, save only the pages on State Taxation of Corporations, which Professor Seligman has contributed. Here is summarized the progress of municipal ownership, the experience of various city commissions, and the public service laws of New Jersey, Connecticut, New York, New Hampshire, Nevada, Washington, Ohio, and Kansas. Professor W. F. Willcox of Cornell presents under the head of Problems of Population analyses of the recent census, showing the increased density, geographical and racial distribution of the population, and a statement of conditions of immigration and naturalization. More than forty pages of this year's book is given over to such municipal problems as the framing of new city charters, previous investigations, the work of municipal research bureaus, the city plan of housing, fire prevention, smoke and bill-board nuisances, and municipal accounting. This is all under the one section devoted to Municipal Government.

The usefulness of the present volume in its present form will be quickly apparent to any one seeking condensed information of the latest developments in the larger fields of human endeavor. In a prefatory note the editors say that the association of learned societies which is behind the *Year Book* expects to improve it from year to year, and therefore welcomes criticism from any source either upon the selection of material or the method of treatment, or on the formal side of the typographical make-up and provisions for users. The object in view being simply that the great fields of learning shall be adequately represented by persons who are known by the national societies to be interested in and competent to have a share in such a work, it is explicitly asserted that these societies as such have no official part and take no official responsibility.

COMMUNICATION

WASHINGTON, D. C., April 13, 1912.

TO THE BOARD OF EDITORS OF THE AMERICAN HISTORICAL REVIEW,
Gentlemen:

Will you kindly permit us, in the interest of historical accuracy, to correct certain statements contained in the review of our memoir on the *Omaha Tribe* in the *Twenty-Seventh Annual Report* of the Bureau of American Ethnology, which appeared in the April number of your periodical.

The reviewer cites Mr. J. Owen Dorsey, the author of *Omaha Sociology* which appeared in the *Third Annual Report* of the Bureau of American Ethnology, as an authority on Omaha history and customs. As Mr. Dorsey is no longer living, the writers wished to avoid any controversy concerning his account of the tribe, although they were aware that his work contained numerous inaccuracies. Mr. Dorsey's mistakes arose, not only from his imperfect knowledge of the language but also from his inability to distinguish between information honestly given him by serious-minded persons and misleading information given in jest by mischief-loving individuals. His mistakes have been corrected without drawing specific attention to any of them in the *Twenty-Seventh Annual Report* of the Bureau of American Ethnology, but the misstatements made in your review of that report make it necessary to break silence.

Mr. Dorsey, whom the reviewer quotes, in his *Omaha Sociology* (*Third Rep.*, p. 255) gives what purports to be the genealogy of Joseph LaFlesche and makes him out to be a Ponca. The genealogy that Mr. Dorsey gives is not that of Joseph LaFlesche, but of his half-brother Frank, whose mother was a Ponca. Joseph and Frank had the same father but different mothers. Joseph's mother was an Omaha and belonged to the Inkéçabe gens; she was the full sister of the father of Tahézbinga who died recently; his sons are still living and known to be members of that gens and blood cousins of the children of Joseph LaFlesche. No''-çó-da-zhi, a full Omaha and a half-brother of LaFlesche, both having had the same mother, still lives; a full sister of the former and a half-sister of the latter, named Eshno''-mo''-he, died recently. These facts in no way bear out the statement of Mr. Dorsey. Moreover, when the writers told LaFlesche that Mr. Dorsey had made this statement, he laughed and said, "That is impossible!" The story of the early life of Joseph LaFlesche was well known to the writers, but the reference

to Wa-jé-pa (*Twenty-Seventh Rep.*, p. 631) was given because he was a near relative and known to the tribe as a man of strict probity and versed in his family history.

The reviewer says, "Our authors, moreover, permit the reader to get the impression that Joseph LaFlesche was the legitimate successor of Big Elk." The facts briefly told are: Big Elk, as he lay dying, requested LaFlesche, in the presence of other chiefs, to take care of his son, then a lad, and to see that he succeeded his father when he became of age, failing which Joseph himself was to be the successor. He took the lad into his own family and sent him to the mission school, where he died. LaFlesche was then, in accordance with the wish of Big Elk, recognized as his successor. There is no ground for the statement made as to "attempted usurpation of the Omaha chieftainship". The deposition referred to was omitted because it was of personal rather than tribal significance and was brought about by a disappointed Indian agent. The reviewer states that the authors "admit that his [Joseph LaFlesche's] installation was incomplete", but fails to point out where this admission is made. Possibly he had in mind the story given by Mr. Dorsey and credited to Frank LaFlesche (*Third Rep.*, p. 224), which is an example of Mr. Dorsey's numerous mistakes due to the lack of a clear understanding of the Omaha language which he persistently used while carrying on his inquiries. The story was about the accidental dropping of one of the bowls of the two tribal pipes at an initiation. It did not happen at the installation of LaFlesche; he was already a chief. This initiation was a step toward higher rank in chieftainship, and the ritual of the sacred tribal pipes had to be recited, at which time only the initiated could be present. During the recital Mo'-hi'-qi dropped the bowl of one of the sacred pipes accidentally. This meant death to the person being initiated and necessitated the discontinuance of the ceremony. Big Elk, who was present, became silent and showed much displeasure. Seeing this, Mo'-hi'-qi said to LaFlesche, "My son, this was an accident; whatever must follow I will take it upon myself." In the autumn of that year Mo'-hi'-qi died. This story was more than once repeated to the writers when they were seeking to obtain knowledge concerning the ritual pertaining to the tribal sacred pipes.

It is true that the authors have not used Two Crows as an authority on the rites of the sacred pole; the reason for this is that Two Crows was a layman and not sufficiently versed in the rites of his gens. The account published was obtained from the last keeper of the sacred pole. This ancient object was secured from its keeper by the authors and is now in the Peabody Museum, Harvard University.

ALICE C. FLETCHER.
FRANCIS LAFLESCHÉ.

NOTES AND NEWS

We are glad to announce that Professor James Harvey Robinson, now in Europe, has accepted his election as a member of the Board of Editors of this review, to fill out the remainder of the term of Professor William M. Sloane, whose resignation was noted with regret in our last issue.

AMERICAN HISTORICAL ASSOCIATION

It is important to note that on July 1 the secretary's office will be transferred from 500 Bond Building to 1140 Woodward Building, Washington, D. C. During the summer, however, from June 25 to September 25, his address will be Semitic Museum, Cambridge, Massachusetts.

The *Annual Report* for 1910 in one volume will be distributed during the summer. The *Annual Report* for 1911 will be in two volumes, the second of which will consist of the Toombs-Stevens-Cobb correspondence, edited by Professor U. B. Phillips for the Historical Manuscripts Commission.

It is probable that the essay by David S. Muzzey on *The Spiritual Franciscans*, awarded the Adams prize in 1906, which was published in a small separate edition, will be reprinted. In order to determine what demand there may be for the proposed reprint, members who desire it are asked so to inform the secretary. The price, to members, will be 75 cents.

The ninth annual meeting of the Pacific Coast Branch was held at Leland Stanford Junior University on April 5 and 6. At the first general session papers were read by Professor Henry L. Cannon on Royal Finances in the Time of Henry III. (to be printed in the *Annual Report* for 1912), by Professor William A. Morris, on the Norman Sheriff and the Local English Courts, and by Professor L. J. Paetow on Robert Grosseteste and the Intellectual Revival in the Thirteenth Century. At the dinner on Friday evening addresses were made by Professor Rockwell D. Hunt and Judge John E. Richards. At the second general session there were papers by Professor Robert C. Clark on the Canadian Settlers' Opposition to the Organization of a Government in Oregon, 1841-1844, and by Professor E. I. Miller on the Virginia Committee of Correspondence from 1759 to 1770. A teachers' session was devoted to the subject of economics in the high school.

At the business meeting it was voted to continue the Committee on Archives for a period of five years and to instruct it to endeavor to

secure the publication of a comprehensive calendar of the archives of the Pacific Coast, and to take steps to insure the preservation and accessibility of the archives deposited in the California State Library. It was also voted to recommend for consideration by the American Historical Association the project submitted by Professor Cannon for publishing the Pipe Rolls and related manuscripts of the reign of Henry III., and to endeavor to secure a meeting of the Association in San Francisco during the Panama-Pacific Exposition. The following officers were elected: president, Arley B. Show, Stanford University; vice-president, William G. Roylance, University of Utah; secretary and treasurer, H. W. Edwards, Oakland High School; members of the council, in addition to the officers, Wilberforce Bliss, State Normal School, San Diego; Louis J. Paetow, University of California; Joseph Schafer, University of Oregon; Jeanne E. Wier, University of Nevada.

PERSONAL

Gabriel Monod, editor of the *Revue Historique*, died at his home in Versailles on April 10, at the age of sixty-eight. By his death the historical profession has lost one of its most eminent members, one who, as teacher, writer, and editor, has exercised a most important influence upon the development of historical scholarship, not only in France but throughout the world, during the last half-century. Born in 1844 at Havre, of Protestant stock, he was graduated from the *École Normale Supérieure* as *premier agrégé d'histoire* in 1865. After three years spent in Italy and in German universities, he was put in charge of the seminar of the sources of French history in the *École Pratique des Hautes Études*, which had just been established by Duruy in an effort to introduce into French higher education the methods of the German seminar. He remained in the *École Pratique*, as *directeur des études*, and later as president, until 1905. In 1880 he was appointed *maître des conférences* in the *École Normale Supérieure*, a position which he held until 1902. Upon his retirement in 1905 he was elected to the newly created chair of general history and historical method at the *Collège de France*, where he lectured until 1910. As a teacher, Monod was one whose pupils became his disciples, and his sound scholarship, his power of brilliant but cautious generalization, his enthusiasm, and the uncommon charm of his personality made of his seminar at the *Hautes Études* a centre to which students flocked from the *Sorbonne*, the *École des Chartes*, and the *École Normale*. No less important was Monod's work at the *École Normale*, where his special interest in the pedagogical aspects of history and the organization of historical studies imbued his lectures with a vitality and authority which caused them to have a profound influence upon the future teaching of history in France. Aside from teaching he performed important public service as a member of the *Comité des Travaux Historiques*, of the *Commission Générale des Archives*, and of the *Commission des Archives Diplomatiques*. All of

these occupations, and many others, left him but small time for writing, and it is not surprising that he should not have produced any single work of magnitude. The list of his writings is not a short one but it is by no means the measure of his work and influence. The *Études Critiques* on the sources of Merovingian and Carolingian history appeared, from 1872, in the *Bibliothèque de l'École des Hautes Études*. His standard *Bibliographie de l'Histoire de France* (1888) supplied French scholarship with a tool comparable to the work of Dahlmann-Waitz. His interest in method and historiography is shown in *Les Maîtres de l'Histoire: Renan, Taine, Michelet* (1894), *Jules Michelet, Études sur sa Vie et ses Oeuvres* (1905), *De la Méthode dans les Sciences* (1909), and in numerous articles. Shortly before his death he translated Boehmer's history of the Jesuits, supplementing it with a study of his own which displayed to the full the strict impartiality of his mind. His chief literary monument however is the *Revue Historique*, which, with Gustave Fagniez, he founded in 1875, and to which he gave himself with the unselfish enthusiasm of the true editor. From its establishment the *Revue Historique* has been the natural centre of French historical scholarship, and has set a standard which has generally been accepted as measurably near the ideal of the historical journal.

William B. Weedon of Providence died in that city on March 28, at the age of seventy-seven. He served with distinction in the Civil War and was for fifty years engaged in the manufacture of woolen fabrics. With much fullness of practical knowledge and a strikingly original mind he took up the study of varied subjects in political economy and history. His most notable work was his *Economic and Social History of New England* (1890), followed sixteen years later by an instructive study of the work of the "War Governors"—*War Government, Federal and State* (1906). He also published a volume on *Early Rhode Island* (1910). Mr. Weedon was a man of alert and varied intelligence and of most genial character.

Professor Henry W. Haynes, a distinguished archaeologist, and corresponding secretary of the Massachusetts Historical Society, died on February 16 at the age of eighty. For nearly forty years he had been devoted to archaeological researches in the United States, Egypt, and Europe.

Dr. George E. Woodbine has been promoted to an assistant professorship of history in Yale University.

Professor Fred Morrow Fling of the University of Nebraska is to deliver during the coming autumn term a course of twelve lectures on the French Revolution, in Yale University.

Miss Bertha Haven Putnam has leave of absence from Mount Holyoke College during the academic year 1912-1913, and will continue the study of English medieval labor legislation along the lines marked by her book already published.

Professors John S. Bassett of Smith College, Edward B. Krehbiel of Leland Stanford University, and Henry A. Sill of Cornell University are to teach this summer at Columbia University.

Mr. Harold D. Hazeltine of Emmanuel College, Cambridge, is to lecture on the history of English law at Columbia University during the coming academic year.

Professor E. B. Greene of the University of Illinois is on leave for the year commencing February, 1912.

Dr. Marcus W. Jernegan and Dr. Conyers Read have been made assistant professors in the University of Chicago.

At the University of Wisconsin Dr. A. C. Smith has been promoted to the rank of assistant professor. Professor W. L. Westermann will be absent on leave during the first half of the coming year.

Professor Willis M. West of the University of Minnesota has retired from his professorship. Professors Dana C. Munro of the University of Wisconsin and Edgar E. Robinson of Leland Stanford are teaching at the University of Minnesota during the summer session.

Professor C. H. Van Tyne of the University of Michigan will lecture at the summer school of the University of California.

At Leland Stanford Junior University, Associate Professor E. B. Krehbiel has been advanced to a professorship of modern European history, Assistant Professor Henry L. Cannon to an associate professorship of English history, and Mr. Percy A. Martin to an assistant professorship in history. Associate Professor Payson J. Treat will be on leave of absence for the first half of the academic year and will travel in the Far East.

Mr. David W. Parker has been appointed to a position as an assistant archivist in the archives of the Dominion of Canada.

GENERAL

It is announced that the International Historical Congress to be held in London in 1913, mention of which has already been made in these pages, will meet on April 3-9.

The Fourteenth International Congress for prehistoric anthropology and archaeology, planned originally to meet in Dublin, 1910, will assemble at Geneva during the first week in September, 1912. Among the subjects of interest to historical students proposed for discussion may be noted: the remains of prehistoric races in Africa, Asia, and America; the Mediterranean relations between Africa and Europe in prehistoric times; the relations between Italy and that part of Europe north of the Alps in prehistoric times; the commercial routes by which various industrial products of Hellenic origin found their way into central Europe

and Eastern Gaul during the epochs of Hallstatt and La Tène and the eastern geographical limits of the civilization of La Tène. The general secretary of the congress is Waldemar Deorma, 16 Boulevard des Tranchées, Geneva.

Progress of Nations: an Account of the Progress of Civilization, in eight volumes, edited by C. H. Sylvester and others, has been published in Chicago by the National Progress League. Volumes VI.-VIII. are devoted to the history of the United States.

Professor Theodor Lindner has issued a third revised edition of the volume entitled *Geschichtsphilosophie* with which in 1901 he began his *Weltgeschichte*. This introduction was thoroughly reworked for the second edition in 1904, and considerable further changes have now been made (Stuttgart, Cotta, 1912, pp. 220).

The address of Dr. Andrew S. Draper, commissioner of education of the state of New York, delivered before the history teachers' section of the New York State Teachers' Association in November, 1911, is printed in the April number of *The History Teacher's Magazine*. It bears the caption No Mummified History in New York Schools. In the same issue is a group of interesting letters from a soldier in the Mexican War. They were written by Charles A. Viereggs between December, 1846, and November, 1847. To the May issue Professor George L. Burr contributes an interesting and valuable paper entitled History as a Teacher and the Teacher of History, and Professor Charles M. Andrews one on the Value of London Topography for American Colonial History. The June number contains a useful article on Historical Maps and their Making, by Professor William R. Shepherd; an account of the introductory courses of history at the University of Texas, by Dr. A. C. Krey, and a discussion of historical examinations in the secondary schools, by Professor J. M. Gambrill. Especial attention is paid in this number to the various history teachers' associations. A history and description of each is given, and a list of its members. It is appropriate to mention here that, under the arrangement made with the *Magazine* by the American Historical Association, members of these teachers' associations can obtain the *Magazine* for one dollar per annum, half the ordinary price of subscription.

The latest issues in Below, Finke, and Meinecke's *Abhandlungen zur mittleren und neueren Geschichte* are Dr. Ludwig Kläpfel's *Die äusserc Politik Alfonsos III. v. Aragonen, 1285-1291*, Dr. Franz Beck's *Studien zu Lionardo Bruni*, and Dr. H. Becker's *Achim v. Arnim in den Wissenschaftlichen und Politischen Strömungen seiner Zeit*.

The historical seminar of the Catholic University of Louvain publishes its *Rapport sur les Travaux pendant l'Année Académique 1910-1911*. This contains summaries of the researches carried on during the year and a "Bibliographie pour l'étude des Sacramentaires", by Father

Vykoukal. Among the investigations summarized may be mentioned those of Abbé A. Legrand on "Jansénisme en Belgique jusqu'en 1654", of Abbé E. Broeckx on "Manichéisme en Occident aux premiers Siècles de notre Ère", and especially of Father R. Lechat on "Les Catholiques Anglais Réfugiés aux Pays-Bas pendant le Règne d'Élisabeth".

Professor James Harvey Robinson has printed *An Outline of the History of the Intellectual Class in Western Europe* (New York, 1911). It "is designed first and foremost to be used in connection with the course of lectures offered in this field to graduate and advanced undergraduate students in the School of Political Science of Columbia University". This outline is the forerunner of a larger work which Professor Robinson promises us for the near future.

All Americanists will note with interest the publication of a little brochure by Henry Vignaud, *Henry Harrisse, Étude Biographique et Morale avec la Bibliographie Critique de ses Écrits* (Paris, Chadenat, 1912). No other than M. Vignaud could have supplied this view of that curious character, who spent the last years of his life in voluntary seclusion after having alienated all of his friends, one after another. Of especial value in this pamphlet are the copious critical and explanatory notes in the bibliographical part.

The Library of Congress has been enriched on the side of Jewish history and literature by the acquisition, through gift by Mr. Jacob H. Schiff, of a notable collection of Hebraica, made by Ephraim Deinard of Arlington, New Jersey, and comprising more than 10,000 titles.

The nineteenth and twentieth fascicles of Lamprecht's *Beiträge zur Kultur- und Universalgeschichte* are, respectively: *Friedrich Nietzsches Geschichtsauffassung, ihre Entstehung und ihr Wandel in Kulturgeschichtlicher Beleuchtung*, by Walter Hegemeister, and *Ueber die Möglichkeit und den Ertrag einer genetischen Geschichtschreibung im Sinne Karl Lamprechts*, by Erich Rothacker.

The collection of over 7000 pieces brought together by Élisée Reclus in the compilation of his work will form, at the University of Geneva, the chief element in a new and unique Museum of Cartography.

A new edition of Dr. Bresslau's standard *Handbuch der Urkundenlehre für Deutschland und Italien*, is announced by Veit of Leipzig. The first volume is now on sale.

Professor Wilhelm Bahnson has published Band I. of a work entitled *Stamm- und Regenten-Tafeln zur Politischen Geschichte*, which is intended to be comprehensive and will probably extend to four volumes (Berlin, Voss., 1912). The whole historical world will be included and Band I. is occupied almost wholly with non-European tables. Bände II. and III. will be devoted to non-Germanic Europe, Band IV. to German lands.

Noteworthy articles in periodicals: A. Walther, *Geldwert in der Geschichte* (Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, X. 1, 2).

ANCIENT HISTORY

Ancient historiography is thoroughly discussed in respect to its most essential characteristics in Dr. Hermann Peter's *Wahrheit und Kunst: Geschichtsschreibung und Plagiat im Klassischen Altertum*.

Professor W. S. Davis of the University of Minnesota published in May, through Allyn and Bacon, a two-volume compilation of *Readings in Ancient History*, for the use of secondary schools. The work consists of copious extracts, in translation, from the ancient authors, with introductions, notes, etc. The first volume is devoted to Greece and the Orient, the second to Rome to 800 A. D.

Messrs. Loescher of Turin have published a work by Egidio Gorra entitled *Testi inediti di Storia Trojana, preceduti da uno Studio sulla Leggenda Trojana in Italia*.

From the Cambridge University Press comes *Prehistoric Thessaly*, by A. J. B. Wace, fellow of Pembroke College, Cambridge, and M. S. Thompson, Craven fellow in the University of Oxford. The volume collects the results of recent excavations in northeastern Greece.

Professor R. von Pöhlmann's *Geschichte der sozialen Frage und des Sozialismus in der antiken Welt* has appeared in a second revised and enlarged edition in two volumes (Munich, C. H. Beck, 1912, pp. xv, 610; xii, 644).

Teil III. of A. Gercke and E. Norden's *Einleitung in die Altertumswissenschaft* deals with the history and public antiquities of Greece and Rome, and is the work of various authors (Leipzig and Berlin, Teubner, 1912, pp. 428).

The Institut Nobel of Christiania announces the publication of a series bearing the title *Publications de l'Institut Nobel Norvégien*. The first of these, May, 1912, is by A. Raeder, *L'Arbitrage International chez les Hellènes*. Based on the study of the published inscriptions, it presents a complete survey of the resort to international arbitration in ancient Greece. G. P. Putnam's Sons are the American publishers of the series.

B. G. Teubner of Leipzig has announced the publication in two volumes of *Grundzüge und Chrestomathie der Papyruskunde*, by L. Mitteis and U. Wilckens. The first volume, by Wilckens, is historical, the second, by Mitteis, juridical, and each volume comprises two sections as indicated by the title.

A committee of the friends and admirers of Professor Ettore Pais will mark the twenty-fifth anniversary of his entrance upon his work of

university instruction by the issue, through Ermanno Loescher and Company, in four volumes, of a new work by him, *Storia Critica di Roma durante i Primi Cinque Secoli*. It will differ from his *Storia d'Italia* (1894-1899) in not being simply a critique of the existing traditions, but a constructive work upon the whole political, juridical, and social life of early Rome and the peoples conquered by her.

Students of the history of religion will find much of value in W. Warde Fowler's *The Religious Experiences of the Roman People from the Earliest Times to the Age of Augustus* (Macmillan), while students of Roman political institutions cannot fail to be interested in the light thrown upon the political importance of the religious regulations.

Noteworthy articles in periodicals: H. Oldenberg, *Zwei Aufsätze zur Altindischen Chronologie und Literaturgeschichte* (Nachrichten von der Königlichen Gesellschaft zu Göttingen); H. Swoboda, *Studien zu den Griechischen Bündn* (Klio, XII. 1).

EARLY CHURCH HISTORY

The second volume of the English translation of Hartmann Grisar's *History of Rome and the Popes in the Middle Ages*, published by Kegan Paul, carries the history of the popes to the fall of the empire, more exactly, to the capture of Rome by Totila in 549.

MEDIEVAL HISTORY

Mr. John Murray announces *The Dark Ages, 300-1000 A. D.*, by C. R. L. Fletcher, sometime fellow of All Souls and Magdalen colleges, Oxford, as the first volume in *The Making of Western Europe* series.

The promoters of the series *Studien und Mitteilungen zur Geschichte des Benediktinerordens und seiner Zweige* have undertaken also a collection entitled *Beiträge zur Geschichte des alten Mönchtums und des Benediktinerordens*, intended especially for the publication of original materials and for bibliographical studies. The editor will be Father Ildefonse Herwegen of the abbey of Maria-Laach.

In commemoration of the seventh centenary of the Poor Clares, Father Paschal Robinson, O. F. M., has printed (Philadelphia, The Dolphin Press) a valuable brochure of thirty-two pages entitled *The Rule of St. Clare and its Observance in the Light of Early Documents*.

M. Georges Hardy, under the heading "Une Source délaissée: les Fonds d'Officialités", supplies to the *Revue de Synthèse Historique* for December, 1911, a note of much interest calling attention to the value of this large and but slightly used class of material for modern as well as for medieval investigations.

Messrs. Picard, of Paris, will publish a *Cartulaire de l'Ordre Général du Temple, de l'Origine à 1150*, edited by the Marquis d'Albon. The edition will be limited to 150 copies, sold at 50 francs.

Noteworthy articles in periodicals: A. Poncelet, *Boémond et S. Léonard* (Analecta Bollandiana, XXXI. 1); Maurice F. Egan, *Everybody's St. Francis*, I., II. (Century, May, June); Fr. Paschal Robinson, O. F. M., *The Personality of St. Clare* (Catholic University Bulletin, June); K. Schaube, *Noch einmal zur Bedeutung von Hansa* (Historische Vierteljahrschrift, XV. 2).

MODERN EUROPEAN HISTORY

A fourth revised and enlarged edition has been published of Dr. Max Schellings's *Quellenbuch zur Geschichte der Neuzeit*, intended for upper secondary schools (Berlin, Weidmann, pp. xvi, 575). R. Voigtländer of Leipzig has begun the publication of *Voigtländer's Quellenbücher*, intended to provide the general public or special user with annotated groups of selections from the sources in small volumes at low cost. Most of the topics so far dealt with are in the field of German history. The latest issues in Schwann's *Sammlung geschichtlicher Quellen-schriften für den Unterricht* are nos. 7, 8, and 9, comprising in German annotated translations the *Germania* of Tacitus, Einhard's *Charles the Great*, and the *Golden Bull*.

Rome au Temps de Jules II. et de Léon X. by Emanuel Rodocanachi (Paris, Hachette) draws much of its material from unpublished documents in state and Vatican archives and from rare contemporary pamphlets. While the text is limited to a statement of facts the footnote references are a source of the greatest value to any student of the Roman Reformation.

Lettres du Baron de Castelnau, 1728-1793, edited with notes by Baron de Bläy de Gaix, and with a preface by M. Arthur Chuquet (Paris, H. Champion), a collection of the letters of an officer of carabineers in the Seven Years' War, comments frankly on men and events.

Mrs. Aubrey Le Bond has, in *Charlotte Sophie, Countess Bentinck: her Life and Times, 1715-1800* (Hutchinson), added another volume to the numerous lives of women of greater or less historic fame. The subject of this biography, the material for which was drawn largely from letters exchanged between the Countess Bentinck and her English grandson, was a friend of Maria Theresa, Frederick the Great, and Voltaire.

Frederic M. Kircheisen's *Bibliographie des Napoleonischen Zeitalters*, of which volume I. was published by Mittler (Berlin, 1908), appears now in its second installment (vol. II., pt. 1., Paris, Geneva, London, 1912, pp. 208) in a French dress, though with the headings still given tri-lingually. No explanation is given of this change; that there has been a real change of base seems indicated however by the statement of the preface: "Pour le moment je ne puis pas songer à la publication de ma grande bibliographie napoléonienne." Volume I. had comprised three sections of the work: I. Histoire Générale, 1795-1815; II. Histoire

des États, 1796-1815; III. Guerres, 1796-1815. The present volume contains part IV., Napoléon et sa Famille, and the first part of part V., Mémoires, Correspondances, Biographies. The work is marked by the characteristics of the first volume; while bearing witness to great industry, and while it will necessarily be of great utility, it can scarcely be regarded as likely to be of more than provisional standing. The "Notice préliminaire" has a very halting tone, and might well awaken doubts as to the future of the undertaking; doubts that will not be diminished by the announcement of M. Kircheisen's projected great *Life of Napoleon*.

The prefaces to the third and fourth editions of Chamberlain's *Grundlagen des Neunzehnten Jahrhunderts* have been published separately with the title *Wehr und Gegenwehr* (Munich, Bouckmann, 1912, pp. 108). The object of the publication is controversial.

In a volume which he calls *Kleine Historische Schriften* (Munich, Oldenbourg, 1911), Professor Max Lenz has collected those of his historical essays which he considers the most popular. The essays on Napoleon I. and Prussia, and on the German revolution of 1848 will probably be of the greatest interest to other than German readers.

A new contribution to an ever active controversy is Dr. Siegfried Brase's *Émile Ollivier's Memoiren und die Entstehung der Kriege von 1870*. It forms Heft 98 of E. Ebering's *Historische Studien* (Berlin, E. Ebering, 1912, pp. viii, 243).

Modern Tariff History: Germany, France, and the United States, by Percy Ashley, has been published by E. P. Dutton and Company.

Noteworthy articles in periodicals: G. Constant, *Le Mariage de Marie Tudor et de Philippe II.* (Revue d'Histoire Diplomatique, XXVI. 2); K. Schellhass, *Deutsche und Kuriale Gelehrte im Dienste der Gegenreformation, 1572-1585* (Quellen und Forschungen aus Italienischen Archiven und Bibliotheken, XIV. 2); Ph. Hildebrandt, *Die Päpstliche Politik in der Preussischen und in der Jülich-Klevischen Frage* (*ibid.*); W. F. Reddaway, *Strucensee and the Fall of Bernstorff* (English Historical Review, April); R. Fester, *Neue Beiträge zur Geschichte der Hohenzollernschen Thronkandidatur in Spanien*, II. (Historische Vierteljahrschrift, XV. 2); K. Dove, *Die Geographische Bedingungen der Heutigen Grossmachtstellung* (Zeitschrift für Politik, V. 2, 3).

GREAT BRITAIN AND IRELAND

The *Transactions of the Royal Historical Society*, third series, volume V. (London, the Society, 1911, pp. 603), contains a valuable paper by Professor Firth on the Ballad History of the Reign of James I.; *Respublica Christiana*, by Rev. Dr. J. Neville Figgis; an account of the intrigues against Essex in Ireland, by Rev. Clement E. Pike; a body of notes on the Agincourt Roll, by Dr. J. H. Wylie; a study of mediæval

forgeries relative to the possession of Cardigan Priory by Chertsey Abbey, by Mr. H. E. Malden; a study of the relations between England and Denmark, 1689-1697, by Miss M. Lane; and a brief paper on some aspects of early English apprenticeship, by Miss H. J. Dunlop. The society intends before long to publish a body of Essex Papers of 1675-1677 and the Journal of the Deputy Lieutenant of the Tower of London, 1722-1746.

The Selden Society has issued, as its twenty-seventh volume, vol. II. of the *Year-Books of the Eyre of Kent* in 6 and 7 Edward II., ed. W. C. Bolland; and hopes to publish this year an additional volume on the charters of trading companies, ed. C. T. Carr. The sixth volume of the *Year-Book* series, containing reports of 4 Edward II., and edited by G. J. Turner, will also be ready for distribution in a short time. Professor Morgan has undertaken to edit the material for the second volume of *Select Cases in the Law Merchant*, collected by the late Professor Charles Gross. Among other publications which are being arranged for, are the following: another volume of the *Year-Books of the Eyre of Kent*, to be edited by Mr. Bolland, volumes of the *Year-Books of Edward II.*, a volume of *Select Cases before the King's Council*, by I. S. Leadam, a volume of *Select Ecclesiastical Pleas*, by Harold D. Hazeltine, and an edition of the *Liber Pauperum* of Vacarius, by F. de Zulueta.

Under the general editorship of Messrs. S. C. Winbolt and Kenneth Bell, Messrs. Bell and Sons will shortly issue a series of English history source-books, covering the ground of English history from Roman Britain to 1887 in some eighteen volumes published at a shilling each.

In *England's Industrial Development: an Historical Survey of Commerce and Industry* (Rivington) Arthur D. Innes presents a large collection of data in an orderly and unbiased way.

Auf welchem Wege kamen die Goidelen vom Kontinent nach Irland? by the late Professor Heinrich Zimmern (Berlin, Königliche Preussische Akademie der Wissenschaften) is a monograph written to disprove the theory of Professor Rhys that the Goidelic Celts reached Ireland by way of Britain, leaving settlements in Cornwall.

Christianity in Early Britain (Oxford, Clarendon Press), by the late Hugh Williams, professor of church history in the Theological College of Bala, treats the church from the historian's standpoint. The lectures contained in the volume deal not only with the movements of the church in Britain but also with all those in which any British bishop or monk was concerned.

Volume II. of the Rev. Alfred Plummer's *The Churches in Britain before A. D. 1000* completes his history of early British Christianity. This volume contains an index to the entire work and a full chronological table.

In the series entitled *Antiquary's Books* Ernest A. Savage has recently published a volume on *Old English Libraries: the Making, Collection and Use of Books during the Middle Ages* (London, 1911). The period dealt with closes with the dispersion of the monastic libraries at the Reformation. Important lists of books are given in appendixes.

Messrs. Macmillan announce for early publication *Old Irish Society* by Mrs. J. R. Green, a volume of studies of Irish civilization before and after the Norman conquest.

The Rev. Arthur Ogle's *The Canon Law in Medieval England: an Examination of William Lyndwood's "Provinciale"* (Murray) is a clear and well-written reply to Professor Maitland and a vindication of the position of Bishop Stubbs as to the relation between the pre-Reformation church in England and the pope.

Professor C. Sanford Terry of Aberdeen University expects to complete early next year a volume entitled *Documents Illustrative of Scottish History, 1603-1707*. Messrs. MacLehose will publish it.

To the volumes of *Rivington's Text-Books of English History* already issued their author, Arthur Hassall, tutor of Christ Church, Oxford, has added *The Restoration and the Revolution* (pp. xx, 220). This series is designed for schools in "which special subjects in English History are taught" and the volumes are supplied with tables of dates and suggestive questions.

Messrs. Chapman and Hall are issuing *History of English Nonconformity, from Wiclif to the Close of the Nineteenth Century*, by Henry W. Clarke, the first volume of which, *From Wiclif to the Restoration*, has already appeared.

The Finances of Ireland before the Union and after: an Historical Study, by the Earl of Dunraven, published by Murray, is a marshalling of facts to show that the smaller island has suffered great financial loss because of the Union.

The Viking Club of London has published a volume of *Caithness and Sutherland Records* and an added volume of its *Old-Lore Miscellany of Orkney, Shetland, Caithness, and Sutherland*.

J. E. Morris and H. Jordan have published with Rutledge, London, *An Introduction to the Study of Local History and Antiquities* (1911, pp. xi, 399).

British government publications: *Calendar of the Close Rolls of the Reign of Henry III.*, vol. IV., 1237-1242; *Fine Rolls*, vol. II., Edward I., 1307-1319; *Calendar of the Patent Rolls, Edward III.*, vol. XII., 1361-1364; *Calendar of the Close Rolls of Edward III.*, vol. XIII., 1369-1374; *Calendar of Patent Rolls, Henry V.*, vol. II.

Noteworthy articles in periodicals: G. J. Turner, *William the Conqueror's March to London in 1066* (*English Historical Review*, April);

C. G. Crump and C. Johnson, *The Powers of Justices of the Peace* (*ibid.*); J. M. Thomson, *A Roll of the Scottish Parliament, 1344* (Scottish Historical Review, April); G. Constant, *Les Evêques Henriciens sous Henri VIII.*, I. (*Revue des Questions Historiques*, April); Sir J. B. Paul, *The Post-Reformation Elder* (Scottish Historical Review, April); E. I. Carlyle, *Clarendon and the Privy Council, 1660-1667* (English Historical Review, April).

FRANCE

A bulletin of recent works on the economic history and geography of France, by M. J. de Letaconnoux, occupies the chief space in the March-April number of the *Revue d'Histoire Moderne et Contemporaine*.

The house of Hachette has begun the publication of a series of small volumes entitled *L'Histoire par les Contemporains*, in which, under the editorship of competent specialists, important episodes of modern history since the period 1789 will be treated by presentation of the leading documents necessary for their comprehension. Thus we have already *Le Socialisme Français de 1789 à 1848*, ed. Georges and Hubert Bourgin; *Le Mouvement Romantique*, ed. P. Van Tieghem; *La Défense Nationale, 1792 to 1795*, ed. Pierre Caron.

Messrs. Picard of Paris have published J. Laurent's *Cartulaires de l'Abbaye de Molesme, ancien Diocèse de Langres, 916-1250*, as tome II. of the *Recueil de Documents sur le Nord de la Bourgogne et le Midi de la Champagne, avec une Introduction Diplomatique, Historique, et Géographique* (1911, pp. xxiv, 740).

During 1911 the *Collection des Textes pour servir à l'Étude et à l'Enseignement de l'Histoire* was increased by the issue of Victor Martet's *Recueil de Textes relatifs à l'Histoire de l'Architecture et à la Condition des Architectes en France au Moyen Âge, XI.-XII. Siècles* (Paris, Picard, pp. lxx, 516).

It has previously been mentioned in these pages that a committee formed by the Société Historique de l'Orne, and upon which Mr. J. LeRoy White represents American interest, has been preparing for the erection of a monument to the memory of Ordericus Vitalis. This monument, erected near the ruins of the abbey of Saint-Evroul, where Ordericus was a monk and where he composed his *Historia Ecclesiastica*, will be dedicated in August of the present year. American subscriptions may be sent to Mr. White, 1 Quai Voltaire, Paris.

Messrs. Holt announce *Social France in the Time of Philip Augustus*, by Achille Luchaire, edited by Louis Halphen, and translated by Professor E. B. Krehbiel, the French edition of which was noticed in this journal some time ago (XV., 361).

Professor Paul Fredericq contributes to the March-April issue of the *Revue Historique* a critical review entitled "Les récents Historiens

Catholiques de l'Inquisition en France". H. Hauser's bulletin on publications in French history in this issue is devoted generally to the modern period.

M. Jean Lemoine has published in the *Revue de Paris* for April under the title "Lettres sur la Cour de Louis XIV." extracts from the gossipy but very enlightening correspondence of the Marquis de S. Maurice while representing Savoy in France, 1671-1673. The letters are addressed to the Duke of Savoy and are a continuation of those previously published in the same journal for the years 1667-1670.

The Société Archéologique et Historique de l'Orléanais has published tome XXXIII. of its *Mémoires*. The volume includes an important study in local Old Régime administration by the archivist, Ch. de Beaucorps, entitled *Une Province sous Louis XIV.: l'Administration des Intendants d'Orléans, de Creil, Jubert de Bonville, et de la Bourdonnaye, 1686-1713*.

The "Commission de Recherche et de Publication des Documents relatifs à la Vie Économique de la Révolution" has published (E. Leroux, 1911, pp. 546) a *Recueil des principaux Textes Législatifs et Administratifs concernant la Monnaie et le Papier-monnaie de 1789 à l'An XI*. It is edited by Camille Bloch and its importance is manifest. Only the most important documents are given in full; the rest are represented by brief summaries or extracts, or by title only. The editorial additions are rather scanty and there is no index.

Professor F. Braesch has published through Hachette (1912, pp. 278) the *Procès-verbaux de l'Assemblée Générale de la Section des Postes, 4 décembre 1790-5 septembre 1792*, the editing including introduction, notes, and index. This was one of the 48 sections of Paris during the Revolution and is the only one of whose deliberations the official record survives for this period. The manuscript was discovered in 1891 and is deposited in the archives of the Department of the Seine. Parts of it have been published already in Mellié, *Les Sections de Paris*, and in S. Lacroix's *Actes de la Commune de Paris*, but M. Braesch sets forth good reasons for its republication in extenso.

There has been appearing for some time from the publishing house of Gedovino, Nancy, a series of plates, with explanatory notes, of the uniforms of the First Empire, prepared by Lieutenant E. L. Bucquoy. Sixty groups of eight plates each have been issued; it is estimated that the work (which aims to be exhaustive) will comprise nearly 200 such groups and will contain from 1000 to 1500 plates.

E. Leroux, of Paris, has published, at 100 francs, a volume entitled *Les Médailles Historiques de Napoléon le Grand, Empereur et Roi*, edited by E. Babelon of the Institute. It is announced as the hitherto unpublished text of the *Histoire Métallique de Napoléon*, prepared by the class of history and ancient literature of the Imperial Institute.

Volume VI. of the *Lettres et Documents pour servir à l'Histoire de Joachim Murat, 1767-1815*, edited by M. Paul le Brethon of the Bibliothèque Nationale, runs from April, 1808, to February, 1809, and throws much new light on Murat's conduct in Spain in 1808 and on his first months in Naples.

The Ministry of Foreign Affairs has just published tome V. of its great collection of documents on *Les Origines Diplomatiques de la Guerre de 1870-1871* (G. Ficker), relating to the period from November 6, 1864, to February 27, 1865.

The Société des Recherches Historiques de Vaucluse has begun the publication of a quarterly review entitled *Annales d'Avignon et du Comtat Venaissin*, published at Avignon, the first issue bearing the date January 15, 1912. It is illustrated with cuts of local historical monuments, and publishes among other things a selection of "Documents sur les Compagnons d'Arts et Métiers à Avignon, XVII^e-XIX^e Siècles".

M. Henry Lehr, "pasteur à Chartres", has published through Fischbacher, Paris, a work entitled *La Réforme et les Églises Réformées dans le Département actuel d'Eure-et-Loir, 1513-1911* (1912, pp. 595). The work has more the aspect of a chronicle than of a history, but will undoubtedly furnish the historian with valuable material. It is accompanied by numerous plans and engravings, by statistical statements and extracts from the sources (there is however no critical bibliography), and by an excellent general map of the department.

Noteworthy articles in periodicals: G. Lanson, *Questions diverses sur l'Histoire de l'Esprit Philosophique en France avant 1750* (Revue d'Histoire Littéraire de la France, XIX. 1); A. Aulard, *Carlyle Historien de la Révolution Française* (La Révolution Française, March); P. Gaffarel, *Les Bonaparte à Marseille* (*ibid.*, March-April); R. Guyot, *Le Directoire et Bonaparte* (Revue des Études Napoléoniennes, May); L. Radiguet, *L'Acte Additionnel de 1815* (*ibid.*, March).

ITALY

The firm of Loescher and Company in Rome has lately issued *Costituzioni Egidiane dell' Anno 1357*, ed. Pietro Sella, the first issue in a series bearing the general title of *Corpus Statutorum Italicorum*; also volume I. of the *Regestum Senense*, ed. Fedor Schneider, in the series *Regesta Chartarum Italiae*; and the second of two volumes of *Unbekannte Kirchenpolitische Streitschriften*, ed. Richard Scholz (pp. xvi, 256), being Band IX. of the *Bibliothek des Kgl. Preussischen Historischen Instituts in Rom*.

Giuseppe La Mantia, librarian of the Sicilian Society of National History, has published at Palermo (Impr. Gen. d'Affissione e Pubblicità, 1912, pp. 88) a brochure entitled *La Guerra di Sicilia contro gli Angioini negli Anni 1313-1320*. It is accompanied by documents.

There have been printed in Padua for the university a volume of *Atti della Nazione Germanica dei Legisti nello Studio di Padova*, edited by Biagio Brugi, and two volumes of *Atti della Nazione Germanica Artista nello Studio di Padova*, edited by Antonio Favaro. These are from manuscripts in the university archives. Padua was the favorite Italian university for students from German lands in the fifteenth and sixteenth centuries and the chief student associations were those of the *Natio Germanica*, which was later separated into *Legisti* and *Artisti*. The issues are limited to 100 copies each.

M. Campovi has published the twelfth and last volume of the *Epistolario di L. A. Muratori* (Modena, Società Tipogr. Modenese, 1911, pp. 5283-5597). This comprises letters 5663 to 6042, of the years 1749-1750, the last years of Muratori's life. In an appendix the editor has placed a couple of hundred supplementary letters discovered since the starting of the work and a number of undated letters. An index volume is still to be published.

Letters and Recollections of Mazzini (New York, Longmans, pp. xiv, 140), by Mrs. Hamilton King, contains some very characteristic letters and a description of the last imprisonment and the death of Mazzini. The volume has a preface by G. M. Trevelyan.

An English version of the *Memoirs of Francesco Crispi*, the documents collected by Palamenghi-Crispi, has been prepared by Mary Prichard-Agnetti and is issued in London by Messrs. Hodder and Stoughton.

The *Rivista Storica Italiana* for the first quarter of 1912 contains an interesting review of the scientific work of the R. Diputazione di Storia Patria per le Antiche Provincie e la Lombardia, from 1885 to 1911. This is the continuation of a similar review published in the same journal by Antoni Manno in 1884, covering the work of the preceding half-century. During the past 27 years there have been published 22 volumes of *Miscellanea di Storia Italiana*, 6 volumes of the *Campagne di Guerra in Piemonte, 1703-1708*, 3 volumes of the *Biblioteca di Storia Italiana Recente*, and 4 volumes of the *Monumenta Historiae Patriae*.

The provincial Italian monthly journals dealing mainly with the present day but also devoting a large amount of space to the records of the past have of late been increasing rapidly in number. The programme of the review *Piemonte*, founded and edited by Count Barbavara, has been changed in this direction; a similar publication with the title *Torino* has appeared under the direction of Federico Musso; the house of Francesco Vallardi of Milan has begun a new illustrated monthly entitled *La Patria*, devoted to the interest of Italian nationality in and beyond Italy.

Noteworthy articles in periodicals: R. Michels, *Elemente zur Entstehungsgeschichte des Imperialismus in Italien* (Archiv für Sozialwissenschaft und Sozialpolitik, March).

GERMANY AND AUSTRIA

The *Versammlung Deutscher Historiker* set for Vienna, September, 1913, has on account of the conflicting meeting of the German jurists been postponed till April, 1913.

The *Revue Historique* for May-June contains general reviews of the recent publications in the history of modern Germany and of Hungary, by Professors Paul Darmstaedter and I. Kont, respectively.

An admirable introduction to the study of German law embracing German legal history has been published by the Library of Congress, a *Guide to the Law and Legal Literature of Germany*, by Edwin M. Borchard (Washington, 1912, pp. 226).

There has been issued from the house of Böhlau, of Weimar, the first volume of Rudolf Smend's *Das Reichskammergericht*.

Mittheilungen aus der Königlichen Bibliothek, herausgegeben von der Generalverwaltung, I. *Briefe Friedrichs des Grossen an Thieriot*, herausgegeben von Emil Jacobs (Berlin, Weidmann), is the first of a series of selections from the manuscripts of the Royal Library. The letters, interesting though not especially enlightening, were written when Frederick was crown prince.

Volume XV. of the *Hohenzollern-Jahrbuch* (Berlin and Leipzig, Giesecke and Devrient, 1911) is naturally devoted to Frederick the Great as part of the bicentennial celebration. The editor is Paul Seidel and the volume contains essays also by Hintze, Koser, Jany, von Cammerer, von Schroetter, Droysen, Krieger, Schuster, and Noël.

Band V. of Anna von Sydow's *Wilhelm und Caroline von Humboldt in ihren Briefen* deals with "Diplomatische Friedensarbeit, 1815-1817". The 190 letters are the result of Humboldt's absences from his wife on diplomatic missions and bring us to his English residence. Band VI. will come to the conclusion of his state service at the end of 1819 (Berlin, Mittler and Son, 1912, pp. xv, 413).

There has appeared Band II. and last of O. Klein-Hattingen's *Geschichte des Deutschen Liberalismus*, dealing with the period since 1871 (Basel, Fortschritt, 1912, pp. xv, 674).

Volumes I. and II. of the late Professor Georg Jellinek's *Ausgewählte Schriften und Reden* with an introduction by W. Windelband, have been published by Häring, Berlin. There will be a third volume.

There has been issued from the press of the *Frankfurter Zeitung* a *Geschichte der Frankfurter Zeitung* (1911, pp. xvi, 1143).

Recent issues in Schmoller and Sering's *Staats- und Sozialwissenschaftliche Forschungen* are *Die Finanzen der Stadt Greifswald zu Beginn des 19. Jahrhunderts und in der Gegenwart*, Heft 161, by Dr.

H. Helfritz, and *Die freien Gewerkschaften in Gesetzgebung und Politik*, Heft 162, by D. Sophie Klärman.

The *Archiv für Sozialwissenschaft und Sozialpolitik* has published as supplement V. Dr. A. Löwenstein's *Geschichte des Württembergischen Kreditbankwesens, und seiner Beziehungen zu Handel und Industrie*. It deals with the period 1848-1910 (Tübingen, Mohr, 1912, pp. 243).

The *Bericht* for 1911 of the "Kommission für neuere Geschichte Oesterreichs" has been issued, and reports the publication of a volume of *Staatsverträge* for Transylvania, 1526-1600, edited by R. Gooss. The publication of the volume for England and the Netherlands is to begin early in 1912. The volumes on France are delayed through the resignation of Dr. H. Schlitter from the editorship. In the series *Korrespondenzen* W. Bauer will soon complete the publication of the *Korrespondenz Maximilians II.* In the *Geschichte der Oesterreichischen Zentralverwaltung* the publication of sources will be started in the autumn. A double volume of reports on *Adelsarchive* in Bohemia and Moravia will shortly appear in the section *Archivalien zur neueren Geschichte Oesterreichs*.

Cracow, the Royal Capital of Ancient Poland: its History and Antiquities, by Leonard Lepszy and translated by R. Dyboski (Unwin), is an abridgment of a work published by the Cracow Society of Antiquaries in 1904. It is hoped that the abridgment may attract a wider circle of readers to the historical importance of Cracow.

The Historical Commission of the city of Fiume has begun the publication of a bulletin, to comprise extracts from the sources for the history of that city as a part of Italian development.

Tome I. has appeared of what promises to be an important series, the *Fontes Rerum Transylvanicarum* (Vienna, A. Holder). It is the first volume of *Epistolae et Acta Jesuitarum Transylvaniae temporibus Principum Báthory, 1571-1613*, covering the years 1571-1583. It is printed in Latin and Hungarian and edited by Dr. A. Veress.

Noteworthy articles in periodicals: H. Niese, *Zur Geschichte des geistigen Lebens am Hofe Kaiser Friedrichs II.* (*Historische Zeitschrift*, CVIII. 3); F. Grüner, *Schwäbische Urkunden und Traditionsbücher: ein Beitrag zur Privaturkundenlehre des früheren Mittelalters* (*Mitteilungen des Instituts für Österreichische Geschichtsforschung*, XXXIII. 1); M. Buchner, *Die Entstehung und Ausbildung der Kurfürstenfabel: eine Historiographische Studie* (*Historisches Jahrbuch*, XXXIII. 1); C. Gebauer, *Quellenstudien zur Geschichte des Französischen Einflusses auf Deutschland seit dem Dreissigjährigen Kriege* (*Archiv für Kulturgeschichte*, IX. 4); L. Daville, *Le Développement de la Méthode Historique de Leibniz* (*Revue de Synthèse Historique*, December); C. Gebauer, *Deutsche Geselligkeit gegen Ende des 18. und zu Anfang des 19. Jahrhunderts* (*Preussische Jahrbücher*,

March); F. Rachfahl, *Eugen Richter und der Linksliberalismus im Neuen Reiche* (Zeitschrift für Politik, V. 2, 3); J. S. Schapiro, *Significant Tendencies in German Politics* (Forum, June).

NETHERLANDS AND BELGIUM

The theological Foundation Teyler of Haarlem has opened a new series of its *Verhandeligen* with the publication of a work by Professor J. W. Pont entitled *Geschiedenis van het Lutheranisme in de Nederlanden tot 1618* (Haarlem, F. Bohn, 1911, pp. xvi, 632). This work has been awarded the prize repeatedly offered by the society. A related publication is that by the Historical Society of Utrecht (series III., no. 20) of *Verslagen van Kerkvisitationen in het Bisdom Utrecht uit de XVI^e Eeuw* (Amsterdam, Johannes Müller, 1911, pp. xx, 520), edited by the archivist S. Muller.

The "Prix Quinquennal d'Histoire Générale" has been accorded to Professor F. Cumont for his work in the history of Oriental religions.

The Société Belge de Librairie has just published *Le Mouvement Flamand en Belgique*, by Fernand Daumont. The work deals especially with the origins and elements of this development, the chapters being devoted successively to the racial, pedagogical, scientific, social, juridical, and economic causes.

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NORTHERN AND EASTERN EUROPE

Noteworthy articles in periodicals: O. Höttsch, *Adel und Lehnwesen in Russland und Polen und ihr Verhältnis zur Deutschen Entwicklung* (Historische Zeitschrift, CVIII. 3); F. von Wrangell, *Die Agrare Neugestaltung Russlands* (Jahrbuch für Gesetzgebung, Verwaltung, und Volkswirtschaft, XXXVI. 1).

THE FAR EAST

The Institute of Historical Compilation, established in connection with the historical department of the Tokyo Imperial University, is continuing publication of volumes in the two series *Dai-nihon-shirō* (Japanese Historical Letters), and *Dai-nihon-Komonjo* (Old Japanese Documents). More than 50 volumes have been already issued. Meanwhile the copying of ancient documents from the Imperial Archives of Nara and from the diaries and records preserved in the palaces of the daimios and in some of the old Buddhist and Shinto temples is being steadily pursued, together with the collecting of historical portraits and maps. Another undertaking in progress, as previously mentioned in these pages, is the publication of diplomatic documents relative to the last period of the Shogunate.

AMERICA

GENERAL ITEMS

The Director of the Department of Historical Research in the Carnegie Institution of Washington, Mr. Jameson, will be in Europe until September 23. In the meantime mail may be addressed "Department of Historical Research" or "American Historical Review", Semitic Museum, Cambridge, Massachusetts. After September 23 the address of both will be 1140 Woodward Building, Washington, D. C. Miss Davenport has of late been in Lisbon and Seville, engaged in researches respecting treaties. Volume I. of Professor Andrews's *Guide to the Materials for the History of the United States to 1783, in the Public Record Office of Great Britain*, the volume dealing with the State Papers, or materials which accumulated in the department of the secretaries of state, is in page-proof and the making of its index is in progress. Mr. David W. Parker's *Guide to the Materials for United States History in Canadian Archives* has gone to the printer.

Proceedings of the American Antiquarian Society, volume XXI., part 2, is made up of the report of the last annual meeting, October, 1911. The librarian's report contains a description of the new library building, with an account of the important accessions during the year. The papers printed in extenso are: The Place of New England in the History of Witchcraft, by George L. Burr; The Ruins at Tiahuanaco, Bolivia, by Adolph F. Bandelier; Some Bibliographical Desiderata in American History, by William MacDonald; A Kindlier Light on Early Spanish Rule in America, by Edward H. Thompson; and Asia and America, a posthumous monograph by Dr. Johann Georg Kohl, the cartographer.

In the February number of *Americana* Alice Goddard Waldo concludes her papers on the Continental agents in America in 1776-1777. For the March number Mr. Forrest Morgan writes a biographical appreciation of Jonathan Trumbull, the Revolutionary governor of Connecticut. In this issue appears also an account of the fighting on the Little Big Horn at the time of the Custer massacre. The account was written by Major M. A. Reno, who commanded one of the battalions, and was found among his effects after his death in 1889.

The *Journal of American History*, volume VI., no. 1, includes a document (pp. 14) written by President John Tyler in 1861 containing a plan for the settlement of the controversy between the Northern and Southern states. The second section of this number is devoted to Vermont, apropos of the celebration by Vermont towns of the one hundred and fiftieth anniversary of their charters.

The initial paper in the December issue of the *Magazine of History* is the account of the battle of Mobile Bay, August 5, 1864, read by the late commander Oliver A. Batcheller, U. S. N., before the Maine com-

mandery of the Loyal Legion. A Naval Incident in the Mediterranean, 1853, by William R. Langdon, relates to the arrest of Martin Koszta at Smyrna by Austrian authorities. William J. Seaver contributes Some Impressions of Abraham Lincoln in 1856, and Edward S. Holden a letter of Washington to General Smallwood, May 26, 1777, giving detailed instructions for the conduct and discipline of troops.

In the March number of the *Records of the American Catholic Historical Society* is a paper by the late Martin I. J. Griffin concerning the Rev. Peter Helbron, second pastor of the Holy Trinity Church, Philadelphia. The article deals principally with events of the year 1796. Among some letters to M. A. Frenaye, financial agent of the diocese of Philadelphia, that from Rev. E. J. Sourin, S. J., written from Frederick, June 18, 1861, is of principal historical interest. A letter (March 22, 1842) from Archbishop Hughes to Governor Seward of New York on the school question is of particular interest because of the effect which Seward's attitude on this question had upon his presidential candidacy.

Dr. C. O. Paullin's series of Albert Shaw Lectures has been published in a substantial volume entitled *Diplomatic Negotiations of American Naval Officers, 1778-1883* (Baltimore, Johns Hopkins Press, pp. 380).

The Part taken by Women in American History, by Mrs. Mary S. C. Logan, with special introductions by Mrs. Donald McLean and others, has been published in Wilmington, Delaware, by the Perry-Nalle Publishing Company.

The Library of Congress has issued a *Select List of References on the Initiative, Referendum, and Recall* (pp. 102), compiled under the direction of H. H. B. Meyer, chief bibliographer.

Mr. Thomas Willing Balch has printed in the *Revue de Droit International*, and also makes available in separate form (Philadelphia, Allen, Lane, and Scott), an article of fifty pages on the question, *La Baie d'Hudson: Est-elle une Mer Libre ou une Mer Fermée?* in which the history of the law respecting closed seas is discussed, with especial reference to American applications of doctrine. The argument, apparently the first printed paper devoted to the legal status of Hudson Bay, is in favor of maintaining the freedom of its waters.

The corporation of Harvard University has established the Harvard Commission on Western History, on the Charles Elliott Perkins Foundation. The commission consists of Mr. Andrew McFarland Davis, chairman, and Messrs. A. C. Coolidge, Horace Dana, Charles G. Dawes, F. A. Delano, G. M. Dodge, Howard Elliott, F. J. Turner, and E. H. Wells. The plan of the commission is to collect all the material possible, printed or manuscript, relating to the history of the West, thus creating in the East a centre of the first importance for the study of the development of the West and of the influence of the East upon that

development. The commission emphasizes the point that it does not propose to compete with western states or institutions for material which is peculiarly suited for preservation by them, but that it desires "type" material and especially such material relating to the West as is to be found in the East. A fuller account of the undertaking, by Professor Turner, is in the *Harvard Graduates' Magazine* for June.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

The Société des Américanistes of Paris has reprinted from volume VIII. of its *Journal* a brief study by M. Vignaud, *Améric Vespuce: ses Voyages et ses Découvertes devant la Critique*. This work, inspired by the fêtes at Saint Dié of last year, points out that the greater part of the hostile criticisms of Vespuce are quite unfounded, and maintains that the naming of continental America for the Florentine is fully justified by the facts of history.

In a brief contribution by Louis D. Scisco, reprinted from the *Transactions* of the Royal Society of Canada, volume V., section 1, entitled "Lescarbot's Baron de Lery" an attempt is made to identify the "Baron de Lery" of Sable Island with Gabriel d'Alegre, baron d'Alegre, and sieur de St. Just, bailiff of Caen. Mr. Scisco points out however that the identification throws no additional light upon the colonizing enterprise attributed to de Lery, the importance of which was probably exaggerated by Lescarbot.

Under the auspices of the National Society of the Colonial Dames of America, whose good work for American history has often been mentioned in these pages, the Macmillans have brought out two volumes of the *Correspondence of William Shirley, Governor of Massachusetts and Military Commander in America, 1731-1760*, edited by Dr. Charles H. Lincoln. Each volume embraces some 250 letters, mostly of Shirley, illustrating with fullness his career. The second volume of the *Correspondence of Richard Henry Lee* is in the printer's hands.

Dr. Hannis Taylor's various writings ascribing to Pelatiah Webster the main authorship of the Constitution of the United States, arguments which have made more impression upon the general public than upon competent historical scholars, were controverted in a letter by Mr. Gaillard Hunt of the Library of Congress, first published in the *Nation* on December 28, 1911. This has now been printed as *Senate Document No. 402, 62 Cong., 2 sess.*

Professor I. J. Cox of the University of Cincinnati gave at the Johns Hopkins University, in April and May, the Albert Shaw Lectures on Diplomatic History, his subject being the West Florida Controversy, which he treated for the whole period from 1783 to 1819, but mostly for the years 1803-1813. The lectures will ultimately be printed. Mr. Cox is now making further researches in Spain.

The Conquest of the Cocur d'Alènes, Spokanes, and Palouses: the Expeditions of Colonels E. J. Steptoe and George Wright against the "Northern Indians" in 1858, by B. F. Manring, has been published in Spokane by the Inland Printing Company.

General Joseph Wheeler and the Army of Tennessee, by J. W. Du Bose, has been published by Neale. One chapter is devoted to the career of General Wheeler before the outbreak of the war.

Small, Maynard, and Company have brought out, under the title *A Chautauqua Boy in '61 and afterwards*, the reminiscences of David B. Parker, who was superintendent of mails and despatch-bearer of the Army of the Potomac, as special agent of the Post Office Department reorganized the postal service in Virginia in the Reconstruction period, and from 1876 to 1883 was at the head of the postal secret service. The book contains recollections of many prominent men of the time and many narratives of interest. It is edited by Torrance Parker and contains an introduction by Professor Albert Bushnell Hart.

Harper and Brothers have brought out *The "Monitor" and the "Merrimac": both Sides of the Story*, as told by J. L. Worden and other officers who took part in the battle.

The January-March issue of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* is entirely occupied by the journal of Miss Susan Walker (March 3 to June 6, 1862), kept during her service at Beaufort, South Carolina, in connection with the government's experiment in managing the cotton plantations in that region, which had been deserted by their owners when Port Royal was captured by the Federals. The journal, though brief, throws light on conditions among the negroes, on the methods of the plantation experiment, and in some measure upon the educational efforts conducted by several societies.

Reminiscences of the Civil War (pp. 160), by Emma C. R. Macon and Reuben C. Macon, is privately printed. Mrs. Macon's recollections occupy the principal part of the book and pertain to events about Winchester, Virginia. Mr. Macon, who was adjutant of the Thirteenth Virginia Infantry, sketches briefly his career in the army.

It is announced that Mr. James Schouler is engaged upon the seventh volume of his *History of the United States under the Constitution*. The volume will treat of the Reconstruction period.

Mrs. Anna M. Vilas has printed at Madison, for private distribution, a volume of *Selected Addresses and Orations of William F. Vilas*, successively postmaster-general and secretary of the interior in President Cleveland's Cabinet, and subsequently United States senator from Wisconsin. Some of the more important addresses presented in the volume are: an address before the law class at the University of Wisconsin in

June, 1876; an address before the Society of the Army of the Tennessee in 1878; an oration on General Grant, delivered before the same society in 1879; an oration on Andrew Jackson in 1882; a Decoration Day address at the New York Academy of Music, 1886; and an address in the United States Senate, April 29, 1897, on the presentation of the statue of Père Marquette.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

Bulletin no. 3 of the departments of history and of political science in Queen's University, Kingston, Ontario, Canada, is *The Status of Women in New England and New France* (pp. 16), by James Douglas. The study is concerned with conditions in the seventeenth century.

The *New England Historical and Genealogical Register* is publishing the diary of Jeremiah Weare, jr., of York, Maine (1786-1823).

The governor and council of the state of Maine have accepted from Miss Elizabeth T. Thornton of Lexington, Massachusetts, a collection of manuscripts gathered by her father, John Wingate Thornton, and his grandfather, Thomas Gilbert Thornton, of Saco, Maine, the whole relating to public and private matters of interest in Maine during the colonial period; the same to be deposited with the secretary of state or state librarian, and designated as the John Wingate Thornton papers.

The principal contents of the February fascicle of the *Proceedings of the Massachusetts Historical Society* are a paper by Professor Kittredge on Some Lost Works of Cotton Mather, these being a series of tracts and letters on smallpox and inoculation; two letters of Samuel A. Otis to James Warren (November 27, 1787) and Henry Warren (February 5, 1809), respectively; correspondence of Dr. John C. Warren, Josiah Quincy, Franklin Bache, and others (1826-1827), respecting the raising of funds for erecting a monument in Boston to the parents of Benjamin Franklin; and depositions in the case of Edward Ashley (1631), a Penobscot trader, who was arraigned for the illegal sale of arms and ammunition to the Indians. In the March issue is a paper by Mr. Richard Henry Dana on the Trent Affair: an Aftermath, in which he takes issue with the views of Mr. Charles Francis Adams; this is followed by a note from Mr. Adams in reply.

The *Massachusetts Magazine* for October contains an account, by F. A. Gardner, of Colonel Samuel Gerrish's regiment, one of the early Revolutionary regiments of Massachusetts. Annexed are biographical sketches of the officers connected with the regiment.

Bulletin no. 2 of the Newport Historical Society comprises the second of Mr. Hamilton B. Tompkins's papers on the Newport county lotteries.

The Connecticut Historical Society has come into possession of an original manuscript letter from Sir Richard Saltonstall to Governor John

Winthrop of Connecticut, dated March 30, 1636. The letter relates to a controversy concerning the settlement of the previous year at Windsor, Connecticut.

A preliminary report by Mr. Thomas C. Quinn, chief of the Public Records Division of the State Education Department of New York, bears the title *Condition of the Public Records in the State of New York*. It is a summary of the reports received from counties, towns, and villages respecting the state of the local records, especially as regards provision for their safe-keeping, and demonstrates the necessity of further legislation in the matter. Such legislation Mr. Quinn proposes to ask for in 1913, after a more thorough study of the situation in each locality has been made.

A History of the Forty-Fourth Regiment, New York Volunteer Infantry, by Captain E. A. Nash, has been brought out in Chicago, by the publication committee of the regiment.

On May 20 the Buffalo Historical Society observed its fiftieth anniversary with exercises which included the unveiling of bronze tablets to Millard Fillmore and Grover Cleveland and addresses by Frank M. Hollister and John G. Milburn. A full report of the proceedings will appear in volume XVI. of the *Publications*, to be issued during the present year.

The records of the Kingwood Monthly Meeting of Friends in Hunterdon County, New Jersey, have been carefully compiled from the minutes, and other manuscripts, beginning in 1744, by Professor James W. Moore, of Lafayette College, and published by H. E. Deats, of Flemington, New Jersey (pp. 42).

The *Journal of the Friends' Historical Society* for January prints "The American Journey of George Fox, 1671-1673" (pp. 48), from a manuscript in the Bodleian Library. In the April issue is printed a letter of James Logan to William Penn relating to affairs in Pennsylvania (1708), with a preface by Amelia M. Gummere.

Among the contents of the *Maryland Historical Magazine* for March are some letters of Rev. Jonathan Boucher, written from Port Royal, Virginia, in 1759 and 1760. The reprint of Daniel Dulany's *Considerations* is concluded, and the Vestry Proceedings, St. Ann's Parish, are continued.

The eighth *Annual Report* of the state librarian of Virginia notes the acquisition of Patrick Henry's fee book, 1770-1795, and more than fifty mercantile account books of William Allason, head of a firm of Scottish merchants of Falmouth, Virginia, 1760-1780. As an appendix to the report, Mr. H. J. Eckenrode, head of the Department of Archives and History, presents (pp. 488) a List of the Revolutionary Soldiers of Virginia, carefully compiled from the most various sources and with

references to the records from which each of the 35,000 or 36,000 entries has been obtained.

The *Virginia Magazine of History and Biography* for April prints (pp. 158-178) two hitherto unpublished tobacco acts, those of 1723 and 1729 mentioned in Hening's *Statutes*, vol. IV., pp. 134, 197. In a group of documents relating to the years 1671-1673 are found a letter from Thomas Ludwell to the Committee on Trade and Plantations, one from Sir Henry Chicheley to Sir Thomas Chicheley, and reports by the Virginia council to the Privy Council of an attack upon the Virginia fleet by Dutch men-of-war in July, 1672. The several documentary series are continued.

The *William and Mary College Quarterly* for April reprints (pp. 226-262) from the *Virginia Gazette* of July 29 and September 30, 1773, some letters (July 16 and 20, and September 22) of Robert C. Nicholas, treasurer of Virginia, relating to the condition of the treasury and to the paper money situation. There is an introductory statement by the editor of the *Quarterly*.

The Speeches and Orations of John Warwick Daniel, late senator from Virginia, have been compiled by his son, Edward M. Daniel, and published by the J. P. Bell Company of Lynchburg (pp. 787).

The memorial address on the life and services of George Davis, senator from North Carolina in the Confederate Congress and afterward attorney-general of the Confederacy, which was delivered by Judge H. G. Connor at the unveiling at Wilmington on April 11, 1911, of a statue to Davis, has been published by the Cape Fear Chapter, no. 3, of the United Daughters of the Confederacy (pp. 54).

The *South Carolina Historical and Genealogical Magazine* for January contains an account of Winyah Barony, being the sixth of Mr. Henry A. M. Smith's articles on the baronies of South Carolina. In this issue of the *Magazine* appears a first installment of the order book of John Faucheraud Grimké, 1778-1780, while the contributions of Mr. Salley and Miss Webber, hitherto mentioned, are continued.

The Mississippi State Department of Archives and History has received by gift from Miss Alice Quitman Lovell of Monmouth, Natchez, a large collection of miscellaneous papers and mementoes from the collections of Mrs. Austin Davis, relating to various periods of the state's history, all of which will be classified and calendared. In addition, numerous gifts of original manuscript material, such as letters and diaries dealing with local Confederate history and including letters of President Davis, have been received, and especially seven volumes of transcripts from the Archives of the Colonies (series C 13, Correspondance-Générale, Louisiane) in Paris.

The *Quarterly of the Texas State Historical Association* for April contains a paper on the Diplomatic Relations of Texas and the United

States, 1839-1843, by T. M. Marshall; also the second installment of Correspondence from the British Archives concerning Texas, 1837-1846, edited by Professor E. D. Adams. The correspondence here printed covers the period May to November, 1842.

The fifth annual meeting of the Mississippi Valley Historical Association was held at Bloomington, Indiana, May 23, 24, and 25, under the auspices of Indiana University. Following are the more noteworthy papers read at the sessions: The Supreme Court and Unconstitutional Legislation; Historical Origins, an address by the president, Professor A. C. McLaughlin; The Settlement of the John Randolph Slaves in Ohio, by Professor Henry N. Sherwood; The Quakers in the Old Northwest, by Professor Harlow Lindley; The Western Reserve in the Anti-slavery Movement, 1840-1860, by Professor Karl F. Geiser; The Influence of the Mississippi Valley in the Movement for Fifty-four Forty or Fight, by Hon. Daniel Wait Howe; Our New Northwest, by Professor Orin Grant Libby; De Soto's Line of March from the Viewpoint of an Ethnologist, by Mr. John R. Swanton; The Disintegration and Organization of Political Parties in Iowa, 1852-1860, by Professor Louis Pelzer; Attitude of the Western Whigs toward the Convention System, by Mr. Charles Manfred Thompson; Factors Influencing the Development of American Education before the Revolution, by Professor M. W. Jernegan; The Truth about the Battle of Lake Erie, by Dr. Paul Leland Haworth.

Mr. Solon J. Buck's paper entitled *Some Materials for the Social History of the Mississippi Valley in the Nineteenth Century* has been reprinted from the *Proceedings* of the Mississippi Valley Historical Association for the year 1910-1911.

The Wisconsin State Historical Society has issued as separate no. 143, *Some Aspects of Politics in the Middle West, 1860-1872*, by Professor Evarts B. Greene, first published in the *Proceedings* of the society for 1911.

The January number of the *Ohio Archaeological and Historical Quarterly* contains volume II. of the Moravian Records, edited by Professor A. B. Hulbert and Rev. W. N. Schwarze. The records consist of the diary of David Zeisberger's journey to the Ohio, September 20 to November 16, 1767, and the diary of a journey made by David Zeisberger and Gottlob Zensman to Goschgoschink on the Ohio in 1768.

Professor James A. Woodburn, writing for the March issue of the *Indiana Quarterly Magazine of History* concerning the Indiana Centennial of 1916, presents an earnest plea for a state library and historical building.

The initial article in the April number of the *Journal of the Illinois State Historical Society* is an address entitled Illinois, delivered by Mr. Clark E. Carr on December 3, 1911, before the faculty and students of the University of Illinois. The paper entitled Cairo in 1841, by Mr.

John M. Lansden, is concerned principally with the projects of Darius M. Holbrook in connection with the building of Cairo and with the characterizations of the town by Charles Dickens in his *American Notes*. Under the caption The Indian War appear two statements by William Orr, a volunteer in the Black Hawk War, concerning the conduct of the war. They are in the form of letters to the editor of the *Illinois Advocate*, John York Lawyer, but were not published at the time. The number contains also a sketch of the Du Bois family, pioneers of Indiana and Illinois, by Hellen L. Allen.

Chicago: its History and Builders, by J. Seymour Currey, has been brought out by the S. J. Clarke Publishing Company in five volumes, the last two being devoted to biographies. The work is comprehensive, written in an interesting style, and is illustrated with an abundance of old views and sketches that considerably enhance its value.

The Keweenaw Historical Society was organized on June 5 at Houghton, Michigan. The society's field extends over the Keweenaw peninsula and the adjacent "copper country". Its purpose is the collection and preservation of historical material relative to this region as a basis for study and for possible publication. The secretary of the society is Mr. J. A. Doelle, Houghton, Michigan.

Mr. Clarence M. Burton has brought out a second edition of his *Building of Detroit* (pp. 44). There are several plans and maps.

In March a "conference seminar" on the scope and methods of research in Iowa history was held at Iowa City under the auspices of the Iowa Historical Society. During the present summer a group of about ten men will carry on investigation in the general field of Iowa history, under the direction of Professor Shambaugh, superintendent of the state society. The results of their work will eventually be published. The society announces for publication in the near future, a history of the Hollanders in Iowa, by Mr. Jacob Van der Zee.

Paul Walton Black publishes in the April number of the *Iowa Journal of History and Politics* (pp. 151-254) an account of the lynchings in Iowa, beginning with the earliest recorded instances and bringing the record down to 1908. Some effort is made to classify the types of lynchings and to study the causes. The material has been obtained through personal correspondence as well as from newspapers and other printed sources.

Mr. C. C. Stiles contributes to the April number of the *Annals of Iowa* an account of the boundary line run in accordance with the treaty of October 11, 1842, with the Sac and Fox Indians. The article, which bears the caption, The White Breast Boundary Line, includes the field-notes of the surveyor, George W. Harrison. Mr. Johnson Brigham relates the proceedings in the United States Senate in December, 1856, and January, 1857, concerning the validity of the election of James

Harlan of Iowa, noting in particular how Senator Toombs of Georgia championed the cause of Senator Harlan. Rev. John F. Kempker gives some account of Catholic Missionaries in the early and in the territorial days of Iowa.

The State Historical Society of Missouri recently obtained a number of volumes of manuscript records of Cooper County, Missouri, commencing with 1819, eight volumes of assessment lists in the fifties, two books of the detailed census report of 1850 of that county, more than 700 oaths of loyalty which were required under the Gamble Convention and the Drake Constitution, and various other manuscript records of interest.

The *Missouri Historical Review* for April contains an account of the Shelby raid in Missouri in 1863, by Captain George S. Grover, a participant in the fights on the Union side; an account of The Battle of Lexington as seen by a Woman, by Mrs. Susan A. Arnold McCausland; and a short study of Daniel Boone, by T. J. Bryant.

Professor F. L. Paxson's paper on *The Admission of the "Omnibus States", 1889-1890*, which is printed in the *Proceedings* of the State Historical Society of Wisconsin for 1911, has been issued as a separate.

The Kansas Historical Society reports that the new memorial building in which it will be housed is rapidly nearing completion. Among recent accessions to the society's collections may be noted some five hundred photographs of early Kansas, the diary of C. B. Whitney, a scout during the Indian wars of 1868, and the journal of the relief committee organized to aid the sufferers from the drought of 1860-1861.

Among the manuscripts recently acquired by the Oklahoma Historical Society should be noted a journal kept by Joseph Francisco while in the Philippines in 1772.

Vigilante Days and Ways: the Pioneers of the Rockies, by N. P. Langford (McClurg), is concerned particularly with pioneer conditions in Montana and Idaho.

Mr. T. C. Elliott contributes to the September issue of the *Quarterly of the Oregon Historical Society* an interesting article on David Thompson, Pathfinder, and the Columbia River, and Mr. Frederick V. Holman sets forth "Some of the important Results from the Expeditions of John Jacob Astor to and from the Oregon Country". In "A Hero of Old Astoria" Mrs. Eva Emery Dye tells briefly the story of Ranald McDonald, who ran away to Japan in 1848 and thereby gave impetus to the Perry Expedition. The *Quarterly* reprints from the *Congressional Record* of July 15, 1911, the report on the territory of Oregon made by Charles Wilkes, commander of the United States Exploring Expedition, 1838-1842. This issue also contains the fourth of Mr. W. C. Woodward's papers on the Rise and Early History of Political Parties in Oregon, which deals with the period 1857-1859.

Fifty Years in Oregon: Experiences, Observations, and Commentaries upon Men, Measures, and Customs in Pioneer Days and Later Times is by Theodore T. Geer, governor of Oregon, 1899-1903 (New York, Neale).

"Jesse Applegate, Pioneer and State Builder" (pp. 13), by Joseph Schafer, is the February number of the *University of Oregon Bulletin*.

Volume II., part I, of Father Zephyrin Engelhardt's *Missions and Missionaries of California* has appeared (San Francisco, J. H. Barry and Company).

Mr. Zoeth S. Eldredge of San Francisco is about to bring out, publishing them himself, two volumes entitled *The Beginnings of San Francisco*, the fruit of several years of research in Spanish and other archives. One volume will consist of narrative, the other of notes.

Houghton Mifflin Company have brought out a volume entitled *The Contest for California in 1861: how Colonel E. D. Baker saved the Pacific States to the Union*, by E. R. Kennedy. The book includes a biography of Colonel Baker, who was a member of Congress from Illinois, served through the Mexican War, was elected to the United States Senate from Oregon in 1860, and resigned his seat to take command of a regiment of volunteers.

The Archives of the Dominion of Canada have been transferred from the Department of Agriculture to the Department of State, and the archivist, Dr. Arthur G. Doughty, C.M.G., has been given the rank of a deputy minister.

The Independence of Chile, by A. Stuart M. Chisholm (Sherman, French, and Company), gives especial attention to that period of confusion in Spanish affairs, beginning in 1788, which set the stage for the South American revolts.

Noteworthy articles in periodicals: E. S. Corwin, *National Power and State Interposition, 1787-1861* (Michigan Law Review, May); O. G. Libby, *A Sketch of the Early Political Parties of the United States* (Quarterly Journal of the University of North Dakota, April); H. G. Connor, *James Iredell: Lawyer, Statesman, Judge* (University of Pennsylvania Law Review, January); James Barnes, *The Spirit of 1812* (Harper's, May); S. M. Arthur, *Early Steamboat Days* (Scribner's, March); R. M. Hughes, *Some War Letters of General Joseph E. Johnston* (Journal of the Military Service Institution, May-June); Morris Schaff, *The Sunset of the Confederacy*, II., III. (Atlantic Monthly, April, May); J. G. De Roulhac Hamilton, *The Elections of 1872 in North Carolina* (South Atlantic Quarterly, April); C. W. Collins, jr., *The Failure of the Fourteenth Amendment as a Constitutional Ideal* (*ibid.*); W. S. Schley, *Admiral Schley's Own Story*, IV., V., VI. (Cosmopolitan, March, April, May); C. O. Paullin, *The American*

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CORRIGENDA

In our last issue, page 460, line 24, in the account of Professor Barker's Buffalo paper, the date should be August, 1835, instead of 1833.


In Mr. Charles Francis Adams's article on the Trent Affair, at the beginning of the third paragraph on page 556, the reading should have been, "As was then alleged, it was regarded in America as having been, on the part of Great Britain, a case of uncalled for, unnecessarily offensive braggadocio", etc.

On page 690, line 3, the reading should be not Miss, but Mr. Selatie E. Stout.

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